NATIONAL ARCHIVES MICROFILM PUBLICATIONS

MICROCOPY

215

ROLL

10

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microcopy No. 215

MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 10

Volumes 29-31

February 16, 1872 - April 10, 1874

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

Washington: 1954

NOTES ON ROLL 10

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / 29 / Feb. 16, 1872 / to / Jan. 9, 1873"; (2) "Minutes / Supreme Court / U. S. / 30 / January 9, 1873 / to / October 31, 1873"; and (3) "Minutes / Supreme Court / U. S. / 31 / October 31, 1873 / to / April 10, 1874." They contain the minutes of the Supreme Court of the United States from February 16, 1872, to April 10, 1874.

The first volume contains the minutes of the Court from February 16, 1872, to January 9, 1873; the second, from January 9 to October 31, 1873; and the third, from October 31, 1873, to April 10, 1874.

VOLUME

29

Friday February 16 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Steph J Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

Isaac H. Davenport et al. Appellants
vs.
John R. Sams et al.

128

On motion of Mr W. W. Chapman

leave is hereby granted him to file affidavit of value in this cause.

354	Michael Hurley vs Pelf in Error. Frank Streeb.	The motion to dismiss this cause for want of jurisdiction was argued by Mr George G Wright in support of the same, and by Mr J. W. Moore in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

18	The United States vs. Appellants John Silvey. and The United States 24 vs Appellants Thomas G. W. Crussell.	On the motion of Mr Hughes and consent of Mr Solicitor General Bristow it is now here ordered by the Court that these Cases be assigned for argument on Monday the 26th instant.

46	Frank Frederick & admr. vs. Pelf in Error. Benjamin & Elizabeth Wilson.	On motion of Mr McCrary it is ordered

that leave be granted the Clerk to issue the mandate in this cause.

Franklin Phelps &
A. S. Solomons
526. vs. Plffs. in error
Joseph Nock.

Mr G W Paschal filed printed argument by leave of the Court in favor of the motion to dismiss.

Augustus J. Ambler
v.
Rodney M. Whipple &
Thomas S. Dickerson.

Mr Hughes filed motion to docket & dismiss this cause.

Michael O'Dowd
108. vs. Plff in Error.
Henry F. Russell Mayor &c

The motion to dismiss this cause was argued by Mr Hilliard in support of the same, and by Mr J. T. Carr in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what

order to render in the premises took time to consider.

J. J. Walker et al. Appellants,
109. vs.
W. M. Derby et al

On the motion of Mr. P. Phillips it is now here ordered by the court, that one hour and a half be allowed the counsel for appellants, in the argument of this cause, in addition to the time to which they are entitled under the rules.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday February 19. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr C. S. Goodrich it is ordered that William F. Taylor Esquire of Danbury State of Connecticut, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Monday February 19. 1855 continued

"The Steamboat Bridgeport" her tackle &c. Charles Peck and Robert Sharpe claimants		Appeal from the Circuit Court of the United States for the Eastern District of New York.
85	vs. Appellants	
George Shaw & David Shaw.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the rate of seven per annum and that decree be entered in the Court of the State of New York.

Per Mr Justice Bradley.

66. The County of Pendleton vs. Henry Amy. | In error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for a new trial in conformity with the opinion of this court. Per Mr Justice Strong

---

The Chicago & N. W. Railway Co. vs Heff in error Henry K. Whiton admr of the estate of Mary F. Whiton deceased. | In error to the Circuit Court of the Uni-

ted States, for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr Justice Field.

---

45 Lucy J. Dunphy
v.
Wm. Tiffin Error.
Menasha Bay, and
Mass Canal Company.

In Error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin for further proceedings to be had therein, in conformity with the opinion of this court.

per Mr Justice Miller

William H. Tingle
98. vs. Tiffin Error.
James L. McCormick

In error to the Supreme Court of the State of Louisiana

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Clifford -

Lucy H. Carroll, admx. of Jno. H. Carroll, deceased.	Appeal from the Court of Claims.
289 vs. Appellant.	
The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this

Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Chief Jus. Chase.

---

264. The United States vs. Appellants
Samuel S. Smoot,
and
265. Samuel S. Smoot vs Appellant
The United States.

(Upon consideration of the motion for writs of certiorari in these cases & of the argument of counsel thereupon had. as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

---

526. Franklin Price, and A. S. Solomons. Plffs. in Error. vs. Joseph Nock. | On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had as well in support of, as against the same it is now hereordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

---

564. Michael Hussey Plff in Error vs. Frank Street. | In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel On consideration whereof it is now hereordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby

dismissed for the want of jurisdiction.
per Mr Chief Justice Cartter.

---

610 Augustus J. Ambler vs Rodney M. Whipple and Thomas S. Dickerson

Appellant

Mr. Justice Hagner of counsel for the appellee having at a prior day of this term to wit: the 16th instant, filed and read in open court the following certificate to wit:

"In the Supreme Court of the District of Columbia, in General Term, December 2. 1871.

Augustus J. Ambler vs. Rodney M. Whipple and Thomas S. Dickerson, defts. } No 1873. Equity Docket 10.

This cause came on to be heard at this term and was argued by counsel. And thereupon, Upon Consideration thereof it is ordered adjudged and decreed that the decree of the said special

term be, and the same is affirmed with costs. And from this decree the complainant by his solicitor here now in open court prays an appeal to the Supreme Court of the United States and the same is allowed.

Clerks office of said Supreme Court, D.C. February 14. 1872.

I, Reuin J. Meigs, Clerk of said Court hereby certify that the above decree and allowance of appeal are truly copied from the records of this Court. Witness my hand and the seal of said Court.

Seal

R. J. Meigs.

Clerk.

And having stated that the appellant had altogether failed to file the record in said cause in this Court or in any way to prosecute said appeal he has moved the Court in pursuance of the 9th. Rule of this Court to have this appeal docketed & dismissed. On consideration whereof, it is now

here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of the District of Columbia be, And the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court, to be proceeded, in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

---

109. J. J. Walker et al. vs. Appellants H. M. Derby et al. | The argument of this cause was commenced by Mr Manning of Counsel for the appellants.

The Chief Justice announced that the Court would not sit on Thursday.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 20, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr C. B. Goodrich it was ordered that O. S. Seymour Esquire of Litchfield State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

109	J. J. Walker et al. vs. Appellants H. M. Deery et al.	The argument of this cause was continued by Mr L. Trumbull of counsel for the appellees and concluded by Mr P. Phillips of counsel for the appellants.

111.	William C. Hall et al. vs. Plffs in Error. The Nashville & Chattanooga Railroad Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr William Atwood of counsel for the plaintiff in error & by Mr Henry Cooper for the defendant in error.

112.	John D. Worthy Ex'r &c. vs. Plaintiff in error Henry Marston.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr E. T. Merrick of counsel for the plaintiff in error, and

by Mr W. S. Holman on the printed brief, and motion of the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 21, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A. T. Stanton, it is ordered that John E. Sundstrom Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

116 The First National Bank of Bethel. v. The National Pahquioque Bank. | (Substituted for 113) This cause was argued by Mr C.B. Goodrich of counsel for the plaintiff in error and by Mr William F. Taylor of counsel for the defendant in error.

---

110 The First National Bank of Bethel. v. The National Pahquioque Bank. | Ordered by the Court that leave be and the same is hereby granted Mr Seymour to file printed argument in behalf of defendant in error also to Mr Merrill in behalf of plaintiff in error.

---

111 J. C. Vaughan admr. v. Julius Gerson. | The argument of this cause was commenced by Mr Wm. Exhley of counsel for the appellant, continued by Mr F.W. Huntington of counsel for the appellee.

Proclamation being made the Court is adjourned until Friday morning next at eleven o'clock.

Friday February 23. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Archibald M. Hall, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James Hughes it is ordered that Hugh Butler Esquire of Central City Colorado Territory be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr William Schley it is ordered that Alexander Wolff Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

284	Lucy E. Carroll admx. vs. The United States.	Appellant	On the motion of Mr R. M Corwine it is ordered that leave be granted the Clerk to issue the mandate in this cause.

940.	G. Jules Gemaire vs Plff in Error. James Mason et al.	Mr Ashton filed motion to dismiss this cause.

948	Andrew J. Davis vs Plaintiff in error John Pilsland.	Mr Robert Leech of counsel for the plaintiff in error having suggested to the court that the plaintiff in error was prepared to file the record and have the case docketed, pursuant to the rules of this court, moved the court to recind and annul the judgment of this court entered on the 18th of December A.D. 1871, docketing & dismissing this writ of error. On consideration whereof, it is now here ordered by this court, that the judgment of the 18th of December docketing and dismissing this writ of error, be and the same is hereby rescinded and annulled and that the plaintiff in error have leave to file his case, and

have the same docketed in conformity to the rules of this court, upon payment of costs.

per Mr Chief Justice Chase.

---

115 The United States vs. The Bark "John Griffin" | Mr Assistant Attorney General Hill of counsel for the appellants

having filed and read in open court a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"That the decree rendered by the said Circuit Court upon the proceedings in the said cause, is omitted and does not appear in the said transcript".

By reason of which omissions and errors aforesaid, the said Counsel, now here moved the court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of New York, commanding them that searching the record and

proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court what ever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States for the Eastern District of New York, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

per Mr Chief Justice Chase.

379 Peter Clinton et al. vs. Piffs in Error. Paul Englebrecht et al. | Mr Hilliger (with the consent of the Attorney General) moved to advance this cause on the docket. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

M. & J. R. R. Co. vs. S. S. Thorp et al. Appellants. S. S. Hammond et al. | The motion to reform the decree and mandate of this court, was argued by Mr Huntley in support thereof, and by Mr D. McMahon in opposition thereto. The court declined entering any order, or taking the motion under advisement.

---

115 The United States vs. Appellants The Bank of the State of Griffin | Ordered by the court that this cause be, and the same is hereby continued to the next term.

---

114 J. C. Slaughter, admr. vs. Julius Gerson. Appellant

The argument of this cause was continued by Mr B.W. Huntington, of counsel for the appellee, and concluded by Mr Wm Schley of counsel for the appellant.

---

113. E. J. Gay et al. vs. The United States. Appellants

(substituted for No 116) This cause was submitted to the consideration of the Court on the record and printed argument by Mr J. M. Merrick, of counsel for the appellants, and by Mr Assistant Attorney General Hill for the appellees

---

117. Louisa Chew. vs. Richard J. Rumsey. Pl'ff in Error.

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr John M. Reynolds, of counsel for the plaintiff and by Mr E. T. Green for the defendant in error.

Proclamation being made, the Court is adjourned until Monday morning next at eleven o'clock.

Monday February 26. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that William H. Jones Esquire of Fort Wayne State of Indiana be admitted to practice as an attorney and counsellor of this Court the oath sworn accordingly.

On motion first made to the Court on this behalf by Mr Joseph H. Bradley it is ordered that J. Morrison Harris Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The President, Managers & Company of the Delaware and Hudson Canal Co. vs. Appellants
Henry C. Clark. Appeal from the Circuit Court of the United States for the Southern District of New York.

45

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause

be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

The Wilmington and Weldon Railroad Company.	In error to the Supreme Court of the
99 vs. Plaintiff in Error.	State of
John A. Reid Sheriff of Halifax County. N. C	North Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court. per Mr Jus. Davis.

---

100. The Raleigh and Gaston Railroad Co. vs. John A. Reid, Sheriff of Halifax Co. N.C.

In error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Davis.

	Charles Reiche, and Henry Reiche vs. Peffs. in Error. Henry A. Smythe Col. Collr of New York &c.	In error to the Circuit Court of the United States for the Southern Dist. Dist of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Davis.

115	Chas R. Ward. vs Plffs in Error, The United States	In error to the Circuit Court of the United States for

the District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Dissenting. Per Mr Justice Miller.
Mr Justice Bradley
" " Davis
" " Clifford

L. Bartemeyer - Pr.
vs. Pff in Error.
The State of Iowa

In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

Dissenting Per Mr Justice Miller.
Mr Justice Swayne
" " Bradley.
Mr Ch. Jus. Chase.

David Dixon for himself and Thomas B. Gaylord, Benjamin B. Gaylord, Jared B. Green, Chas. Green, Hilliard Elden and William Edsord, partners as Gaylord Dixon & Company. Appellants.

vs.

Americus Warden and Augustus S. Ludlow.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this court.

Mr Justice Swayne.

The New Haven Steam Transportation Company. Libellants.

vs. Appellants.

The Steamboat "Continental." The New Haven Steamboat Co'mpy. Claim't.

Appeal from the Circuit Court of the United States for the District of Connecticut.

105.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Clifford.

Hiram O Alden
vs
The First National Bank of Chicopee.

In error to the Circuit Court of the United States for the District of Maine.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Maine.

By a divided Court.

No 74 Jules Clinton et al. vs. Pelfs in Error. Paul Englebrecht et ab

The Chief Justice announced that the Court will direct the record in this cause to be printed, and if upon examination they find it presents the question as to the validity of the mode adopted for summoning

jurors in Utah will advance the cause and fix such day as may be agreed upon by the counsel.

18	The United States vs. John Silvey. Appellants	Third causes were argued by Mr. Asst. and Attorney General Hill, and Mr. Solicitor General Bristow of
24	And The United States vs. Thomas G. Wm Crussell. Appellants	

counsel for the appellants and by Mr James Hughes of counsel for the appellees.

11	J. H. Bradley vs. Peff in error. George P. Fisher.	The argument of this cause was commenced by Mr J. M. Harris

of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 27. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase. Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that Andrew J. Todd Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

jurors in Utah will advance the cause and fix such day as may be agreed upon by the counsel.

---

18 The United States vs. Appellants John Silvey.
and
24 The United States vs. Appellants Thomas G. Crussell.

Third causes were argued by Mr. Asst. and Attorney General Hill, and Mr Solicitor General Bristow of counsel for the appellants and by Mr James Hughes of counsel for the appellees.

---

11 J. M. Bradley vs. Plff in error. George P. Fisher.

The argument of this cause was commenced by Mr J. M. Harris of counsel for the plaintiff in error.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Tuesday February 27. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that Andrew J. Todd Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

118. J. H. Bradley vs Poff in Error. George P. Fisher. | The argument of this cause was continued by Mr W. A. Cook and Mr A. G. Riddle of counsel for the defendant in error, and concluded by Mr R. T. Merrick of counsel for the plaintiff in error.

---

93. Paul Sears et al, Appellants. vs Steamer "Scotia" &c. | (For which 119 was substituted) The argument of this cause was commenced by Mr J. C. Carter of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 28. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Paul Sears et al. Appellants vs. Steamer "Scotia" &c. (For which No 119 was substituted.)

The argument of this cause was continued by Mr J. C. Carter for the appellants & by Mr D. D. Lord for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday February 29. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas Hoyne it is ordered that M. W. Fuller Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter, it is ordered that Benjamin J. Brown Esquire of East Saginaw State of Michigan be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Paul Sears et al. vs. Steamer Scotia &c. | (For which No 119 was substituted.) The argument of this cause was concluded by Mr E. C. Benedict of counsel for the appellees.

93.

P. Conrad vs. H K Hazlett et al. | (For which No 122 was substituted) The argument of this cause was commenced by Mr J. A. Wells of counsel for the appellant, and continued by Mr F. A. Dick of counsel for the appellees.

98

Herman Baldwin assignee of Moses E. Ludington a bankrupt. Appellant
225. vs.
James E. Baker, and John L. Beveridge

Mr M. W. Fuller of Counsel for the Appellees having

filed and read in open court the following certificate to wit:

"In Circuit Court United States Northern District of Illinois.

Herman Baldwin, assignee of Moses E. Ludington a bankrupt
vs
James E. Baker and John L. Beveridge.
} Chancery

William H. Bradley, Clerk of the Circuit Court of the United States for the Northern District of Illinois do hereby certify that a decree against the Complainant, of dismissal of his said bill after a final hearing was entered of record in said court

on the thirty-first day of July A.D. 1871. that from said decree an appeal was prayed by the complainant and allowed by the Court, and an appeal bond was filed and approved by the Court within the time fixed by the statute, under the rules of the Court by the said complainants.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at my office in Chicago, in said Northern District this 23rd. day of January A.D. 1872.

Seal

Wm. H. Bradley
Clerk."

And having said that the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this

Appeal docketed and dismissed.
On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the Northern District of Illinois, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law & justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 1. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr R. S. Davis it is ordered that Jay Hyatt Esquire of Buffalo, State of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

1490 Wade Hampton vs. Piff in Error. John D. Rouse.

The motion to dismiss this case was argued by Mr P. Phillips in support of the same, and by Mr W. H. Boyce in opposition thereto - Whereupon this Court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider.

---

524 Thomas Roop et al vs. Piff in Error. Commonwealth of Pennsylvania ex rel the Attorney General

The argument of the motion to dismiss this cause was commenced by Mr John Hall in support of the same. The Court declined to hear argument in opposition thereto.

---

529. Thomas Roop, James Sheban, and Henry S. Wilson, Commissioners of Mifflin County. vs. Plaintiffs in error. The Commonwealth of Pennsylvania use, The Attorney General. | In error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the motion of Mr John Scott of counsel for the defendant in error; it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Chase.

---

529. Thomas Roop et al. vs. Plffs in Error. The Comwth of Penna. Use. Atto General | On motion of Mr John Scott, leave is hereby

granted the Clerk to issue the mandate in this cause, and the plaintiff in error to withdraw from the files of this court, the transcript of the record in this cause.

Augustus J. Ambler
vs. Appellant
Rodney M. Whipple
& Thomas S. Dickerson.

The motion to strike out and annul the order of 19th February docketing and dismissing this cause was argued by Mr R. F. Butler in support of the same, and on the motion of Mr James Hughes leave is hereby granted him until Friday next, to examine the transcript proposed to be filed.

Peter Monger
vs. Appellant
Thomas Shirley.

The motion to dismiss this cause was submitted on printed arguments by Mr John Baxter in support of the same, and leave is granted Mr H. Maynard to file printed

argument on Friday next in opposition to the motion. Whereupon the Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

148. The United States vs. Piff's in Error Alfred Huger, and Charles T. Lowndes.

On the motion of Mr Solicitor General Bristow it is now here ordered by the Court that the order to continue this cause to the next term be, and the same is hereby stricken out.

---

148. The United States vs Piff's in Error, Alfred Huger & Charles T. Lowndes.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record.

from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr Solicitor General Bristow, it is now here ordered adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

288.	The United States vs Appellants Ralph Meldrim.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Solicitor General Bristow it is now here ordered, adjudged & decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

George P. Sewin, by George M. Elwain his next friend & guardian. vs. Appellants, Percival P. Olmsted.

Mr. L. Trumbull filed and read in open Court the following

Certificate to wit:

"In the Circuit Court of the United States for the Northern District of Illinois.

As of the July Term A. D. 1871.

George P. Sewin by George M. Elwain his next friend and guardian. vs. Complainant.

Percival P. Olmsted, Samuel R. Haven, Mary N. Stowell, guardian of Edwin Stowell, Clara Benjamin, Jacob Heller, Lyman Atwood, Augustus S. Keler, Cyrus H. Clark, Jennie M. Clark, George C. Campbell, William A. Butters, Henry Vreeland, and Davis Stacey. Defendants.

The court having upon final hearing commenced and being now fully advised upon the matters submitted by the respective parties upon the pleadings and proofs in the above entitled cause does now order and decree on this twenty sixth day of July A.D. 1871. that the bill be dismissed at the costs of the complainant, and it is further ordered and decreed by the Court, that the defendants recover of said complainant their costs in this cause, to be taxed, and thereupon the complainant by his solicitors prays an appeal to the Supreme Court of the United States which is allowed upon their filing bond within ten days in the penal sum of one thousand dollars in the usual form.

Northern District of Illinois.

I William H. Bradley Clerk of the Circuit Court of the United

States for the Northern District of Illinois do hereby certify the said complainants, in the above & foregoing entitled cause duly prayed an appeal to the Supreme Court of the United States, from said decree and filed his supersedeas bond therein which was approved by the court, and filed within the time limited by the order of the court herein.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at my office in Chicago, in said Northern District this 14th day of December A. D. 1871.

Seal

Wm. H. Bradley
Clerk"

Now here moved the Court to docket and dismiss this cause which was opposed by Mr M. H. Fuller. On consideration, whereof, it is now here ordered by the Court

that this cause be, and the same is hereby docketed and dismissed with costs, unless the appellants file the transcript and docket the cause, on or before the 15th April next.

per Mr Chief Justice Chase.

(Ex parte John H. Russell, Original. Petitioner

This motion for a writ of Mandamus on the Court of Claims was argued by Mr H. Penn Clarke in support of the same, and by Mr Assistant Attorney General Hill and Mr Assistant Attorney General McMichael in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

J. Conrad, Appellant, vs. H. S. Hazzard et al.

(For which No 120 was substituted.) The argument of this cause was

Continued by Mr I. A. Dick of counsel for the appellees, concluded by Mr J. A. Wills of counsel for the appellant.

---

123. The Traders National Bank of Chicago. vs. Appellants. Geo W. Campbell, assignee &c

This cause was argued by Mr. M. W. Fuller of counsel for the appellees, and submitted on printed arguments by Mr B. F. Cook, and Mr George C Campbell, for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 4. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr D. M. Cooley it is ordered that H. D. Brown Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Norwich & New York Transportation Company.
89. vs. Appellants.
William A. Wright, Samuel Hemingway, William Bolsworth, William W. Robertson, H. V. Eldridge, Horatio Nichols, Robert Francis, Van Brunt & Slaught, Dan Smith, J. Ludington & Co.

Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed. And it is further ordered adjudged and decreed that this cause be, and the same is hereby remanded to the said Circuit

Monday March 11. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr D. M. Cooley it is ordered that H. D. Brown Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Norwich & New York Transportation Company. Appellants.
89. vs.
William A. Knight, Samuel Hemingway, William Ellsworth, William H. Robertson, A. V. Eldridge, Horatio Nichols, Robert Francis, Van Brunt & Slaught, Dan Smith, J. Ludington & Co. Respondents.

Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed. And it is further ordered adjudged and decreed that this cause be, and the same is hereby remanded to the said Circuit

Court with directions to suspend further proceedings thereon until the respondents (the appellants in this Court) shall have had such reasonable time as the said Court may deem sufficient for taking the proper proceedings in the district court for the Eastern District of New York, for apportioning the damage sustained by the various parties in the case.

The costs in this Court and in the Courts below to be equally divided between the libellants and the respondents - also process against the stipulators to be suspended to abide the event of the suit.

per Mr Justice Bradley.

Mr Justice Strong was not present at the argument of this cause, and took no part in the decision.

---

94 The Steamship "Thames" her tackle &c. Russell Sturgis et al. Claimants. vs. Appellants. Pellop Seaman.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs, and interest, until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr Justice Strong.

William C. Hall and John D. Long, doing business under the firm and style of Hall & Long.		In error to the Circuit Court of the United States for the Middle District of Tennessee.
111	vs.	
The Nashville & Chattanooga Railroad Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle district of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity with the opinion of this court.

per Mr Justice Strong.

Monday March 11. 1872. continued

54	The United States vs. Peffer in Error, Abijah Tuttle.	Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

Per Mr Justice Field.

Dissenting:

Mr Chief Justice Chase.

	The United States	Appeal from
110	vs.	the Supreme
	Appellants	Court of the
	The Heirs of Juan Bautista Vigil, dec'd, et al.	Territory of New Mexico.

This cause coming to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed. And that this cause, and the same is hereby remanded to the said Supreme Court with directions to enter a decree dismissing the petition for want of jurisdiction per Mr Justice Davis.

	Alfred Norcross S. P. Perkins, and R. T. Henry. Libellants.	Appeal from the Circuit Court of the United States for the District of Louisiana.
120.	vs. Appellants to	
	The Steamboat "Laura" her tackle &c. Louis Frigerio et al. Claimants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller

	The Steamboat Telegraph her tackle &c. &c. Libels, Claimants.	Appeals from the Circuit Court of the United States for the Southern District of New York.
86	vs. Appellants	
	John Gordon, James Bruce, and Michael J. McAuliffe.	
	and	
	The Propeller Mary J. Vaughan her tackle &c. Thomas J. Vaughan Claimant.	
87	vs Appellants	
	John Gordon, James Bruce, and Michael J. McAuliffe.	

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and were argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of New-

Monday March 4. 1872. Continued.

York.
Dissenting.
Mr Ch. Jus. Chase.
Jus. Clifford
Field.

per Mr Justice Swayne.

---

107. The City of Lexington vs Plaintiff in error Joseph C. Butler.

In error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest, and paid at the same rate per annum that similar judgments

Clear in the Courts of the State of Kentucky.
for Mr Justice Clifford.

1190	Thos Hampton vs John D. Rouse.	In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of Mississippi and on the motion of Mr P. Phillips to dismiss the writ of error which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

1. Orig. | The State of Florida Complainant vs The State of Georgia. | On motion of Mr H. P. Farrow, Attorney General of Georgia, it is now here ordered by the Court that this cause be dismissed with costs unless cause to the contrary be shown on or before the 15th of April inst. And that the Clerk transmit by mail copies of this order to the governor, and Attorney General of Florida respectively.

---

2. Orig. | Peter Clinton et al. Plffs in Error. vs Paul Englebrecht et al. | Special & peculiar circumstances having been shown to the Court, it is now here ordered by the Court that this cause be advanced & assigned specially for hearing on Thursday the 7th instant.

Amendment to the 41st Rule in Equity.

Ofthe complainant, in his bill, shall have an answer under oath, or shall only require an answer under oath, with regard to certain specified interrogatories, the answer of the defendant though under oath except such part thereof as shall be directly responsive to such interrogatories shall not be evidence in his favor unless the cause be set down for hearing on bill and answer only - but may nevertheless be used as an affidavit with the same effect as heretofore, on a motion to grant or dissolve an injunction or on any other incidental motion in the cause but this shall not prevent a defendant from becoming a witness in his own behalf under section 3. of the act of Congress of July 2. 1864.

Order of Court.

Ordered that no motions requiring argument will be heard on Friday the 8th instant until after argument upon the Return of the Writ, in the writ of alternative mandamus heretofore awarded: and at the close of business on that day the Court will adjourn until Monday the 18th instant.

Thos Hampton vs Pelton in Error. John D. Rouse.	On motion of Mr P. Phillips Ordered that leave be granted the Clerk to issue the mandate in this cause.

190.

John J. Butler vs Pelton Error. Francis Watkins, & the Patent Nut & Bolt Company.)	This cause was argued by Mr Duncan Campbell, and Mr P. Phillips of Counsel for the defendant in error, & submitted on printed argument by Mr W. H. Peckham of Counsel for the D. E.

122.

Proclamation being made the Court is adjourned until 10 o'clock tomorrow morning at eleven o'clock.

Tuesday, March 5, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The United States
vs. } Appellants
Ralph Melvin

On motion of Mr Clark ordered that leave be granted the Clerk to issue the mandate in this cause.

129	William S Huntington vs. Plff. in Error The State of Texas	Ordered by the Court that these causes be assigned for argument on Monday the 18 instant immediately after the argument of No 575, & may assigned for that day.
130.	The State of Texas vs. Peffer Error Wm S Huntington, and The First National Bank of Washington et al	
523.	vs. Plffs. in Error The State of Texas.	

(Account of citations of counsel.)

125.	George W. Dent vs. Peffer Error Tiaug Emmigrant	This cause was argued by Mr S. A. Hill of Counsel for the defendant in error, and submitted on printed argument by Mr Glover and Mr Shepley of counsel for the plaintiff in error.

126	George F. Steinbach vs. Piff in Error The Relief Fire Insurance Company of New York.	The argument of this cause was commenced by Mr A. Woolf, of Counsel for the plaintiff in error. The court declined to hear any further argument in the case.

127	Peter Peyton vs. Appellant G. Hinchman et al.	This cause was argued by Mr C. Robinson of Counsel for the appellees, - and ten days allowed Mr Cooper to file printed brief or argument in behalf of the appellants.

128	Isaac A. Davenport et al. vs Appellants John R. Lamb et ab.	On the application of Mr Chase it is ordered that one additional hour is hereby granted him in the argument of this cause.

Tuesday March 5, 1872. Continued

128.	Isaac A. Davenport et al. vs. John R. Lind et al. Appellants.	The argument of this cause

was commenced by Mr F. D. Chapman & counsel for the appellants.

Proclamation being made, the Court is adjourned until to-morrow morning at eleven o'clock.

Wednesday March 6. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices -

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr P. Phillips, it was ordered that E. Swan Esquire of Poughkeepsie State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday March 6. 1872 Continued

On motion first made to the court in this behalf by Hon S. S. Cox, it is ordered that Walter Clark Esquire of Halifax, State of North Carolina be admitted to practice as an attorney and Counsellor of this Court-and he was sworn accordingly.

---

128. Isaac A. Davenport et al. vs John R. Lamb et al | Appellants | The argument of this cause was commenced by Mr H. H. Chapman of Counsel for the appellants by Mr George H. Williams of counsel for the appellees, and concluded by Mr Chapman for the appellants.

---

129. The United States vs Beebe in Error. C. J. Ballard et al | Plaintiff | This cause was submitted to the consideration of the Court on the record and printed argument by Mr Solicitor General Bristow of counsel for the plaintiff in error.

cent by Mr A. J. Riddle for the defendant in error.

The City of St Louis
1311 vs Plff in Error
Sophia Ashley Kirkpatrick

In error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri and on the submission of Counsel for the respective parties on file it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

Wednesday March 6, 1872. Continued

131 The Steamboat "St John" &c. vs. Abraham E. Kusmuck. Appellants. | This cause coming on to be heard by Mr Charles Jones of Counsel for the appellants, and by Mr Charles Donahue of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Thursday March 7. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Samuel T. Jones, Esquire of Brooklyn State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Our motion first, made to the court on this behalf by Mr R St. Shannon it is ordered that E St. Hall Esquire of Little Rock, State of Arkansas be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Frederick Steines et al. vs. Pfffs in Error. Franklin County et al. | On the motion of Mr A. A. Dick it is now here ordered by the court that the motion to dismiss this cause be, and the same is hereby set for argument on Friday the 22nd instant.

---

508 Peter Clinton et al. vs. Pfffs in Error. Paul Englerecht et al | This cause was argued by Mr C. J. Hillyer of counsel for the plaintiffs in error and by Mr R. A. Baskin of counsel for the defendants in error.

Thursday March 7, 1912 continued

The Kent Insurance Company of New York vs. Pfiffner Brass Co.	This cause was argued by Mr F. H. Peck of counsel for the defendant in error, and by Mr M. H. Carpenter of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday March 8th 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Sharp Messelee Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon J. A. Garfield it is ordered that Thomas K. Bolton Esquire of Cleveland State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Phillips, it is ordered that C. E. De Long Esquire of Virginia City State of Nevada, be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

---

360. Peter F. Kellen as Appellant vs James F. Joy.

On motion of Mr Butler it is now here ordered by the Court that this Cause be, and the same is hereby assigned for argument on Monday the 15th of April next, instead of the 2nd of April as previously ordered.

---

387. Alfred Ely as Appellant vs Douglas P. Forrest.

Appeal from the Supreme Court of the District of Columbia.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the

District of Columbia, and on the motion of Mr N. Wilson of Counsel for the appellant, it is now here ordered adjudged and decreed by this Court, that this appeal, be and the same is hereby dismissed with Costs.

per Cur Chief Justice Chase.

Augustus J. Ameler
vs. Appellant
Rodney N. Whipple
& Thomas S. Dickerson.

On motion of Mr Hughes it is now here ordered by the Court that the time allowed him for the examination of the transcript of the record in this case be extended to Friday the 22nd instant.

The United States
ex. Plaintiffs
Jas. Wm. Avery et al

Ordered by the Court that this cause be reassigned for argument on Tuesday the 19th instant instead of the 18th as heretofore ordered.

Friday March 8th 1872 Continued -

Wm S Huntington
429 vs. Plff in Error
The State of Texas.

The State of Texas
430 vs Plff in Error.
Wm S. Huntington
and
The First National
Bank of Washington et al.
523 vs Plffs in Error.
The State of Texas.

Ordered by the Court that these cases be assigned for argument on the 19th instant instead of the 18th as previously ordered.

The Commonwealth of Kentucky.
Petitioner
Orig. vs.
George S. Boutwell, Secretary of the Treasury.

This cause was argued by Mr A. H. Burton and Mr Joseph Casey of Counsel for the petitioner, and by Mr Solicitor General Bristow Mr Asst Atty Genl Hill, and Mr Atty Gen. Williams on behalf of the Secy of the Treasury.

Motion being made the Court is adjourned until Monday morning the 18th instant at 11 o'clock.

Monday March 18th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Causten Browne, it is ordered that Samuel J. Glassy Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

---

96 The Great Western Insurance Company. vs. Piffin Error Millard Thurng. | In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias denovo.

Dissenting Mr Jus. Clifford " " Swayne Mr Chf Jus Chase

per Mr Justice Bradley

113. Edward J. Gay and William Agar vs. The United States. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Justice Miller.

---

104. The United States vs Jeffris in Error One hundred barrels distilled spirits - | In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court, with instructions to render judgment for the United States. per Mr Justice Clifford.

Dissenting.
Mr Justice Field
" " Miller.

Edmund J. Davis, governor &c. vs. Appellant
Wm. M. Gray, receiver of the Memphis El Paso and Pacific Railroad Company.

Ordered that this case be argued on printed briefs to be filed by the first day of October

ment - and the attention of counsel is invited to the following question: Whether the federal courts will interfere by injunction to restrain the action of state jurisdictions having in charge the disposition of public lands.

---

133. Simon E. Gardner vs Appellant The Goodyear Dental Vulcanite Co. | On motion of Mr. H. Howe it is ordered that an additional hour be allowed the counsel on each side on the argument of this cause.

---

133. Simon E. Gardner vs Appellant The Goodyear Dental Vulcanite Co. | The argument of this cause was commenced by Mr John A. Foote of counsel for the Appellant, & continued by Mr E. Brown of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Tuesday March 19, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal

Samuel Perry Middleton Clerk.

Proclamation being made the Court is opened.

No. 6. French & Wife Error vs. Thomas Summerdale	Mr Causey moved the Court to fix a day for the argument of this cause. Whereupon this Court not being now here sufficiently advised of, and concerning the premises

time to consider.

---

101 David Gibson et al. vs. Appellants / Americus Warden et al. | On motion of Mr A. J. Perry ordered that leave be granted the clerk to issue the mandate in this cause.

---

133 Benoni E. Gardner vs. Appellant / The Goodyear Dental Vulcanite Company. | The argument of this cause was continued by Mr Causten Browne and Mr B. R. Curtis of counsel for the appellees & concluded by Mr Orville Horwitz of counsel for the appellant

---

5 The United States vs Plaintiffs / Chs. Wm. Tracy et al. | The argument of the motion to dismiss this cause for the want of jurisdiction was commenced by Mr Assistant Attorney General Hill in support of the same.

and continued by Mr Henry Stanbury in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 20. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams, it is ordered that Daniel E. Parks Esquire of Sandy Hill, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

---

578. The United States
vs Plaintiffs
Thomas Wm. Storey et al.

The argument of the motion to dismiss this cause for the want of jurisdiction was continued by Mr Henry Stanbery and Mr Reverdy Johnson in opposition thereto, and concluded by Mr Attorney General Williams in favor of the motion.

---

429. William S Huntington
vs Pfeiffer in Error.
The State of Texas.

430. The State of Texas.
vs Pfeiffer in Error
Wm. S. Huntington. -
and
The First National Bank
of Washington et al.
523. vs Pfeiffs. in error.
The State of Texas.

Ordered by the Court that these cases be reassigned for argument on the 15th of April next, after the argument of No 360. previously assigned for that day.

Wednesday March 20th 1872 Continued.

134	Wm. H. Barnsdal. Piff in Er.	vs. Phila & Reading R.R.Co
135	Same	vs. Lehigh Valley Railroad Company.
136	"	" Lake Superior & Miss R.R. Co
137	"	" Phila & Reading R.R.Co.
138.	"	" Harrisburg P. Mt Joy & Lancaster R.R.Co.
139	& "	" Phila & Trenton R.R.Co.

The argument of these cases was commenced by Mr Solicitor General Bristow of counsel for the plaintiffs in Error, and continued by Mr J. E. Gowen of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 21st 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Henry Stanbery it is ordered that A. G. Stanchfield Esquire of Boston State of Massachusetts be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Solicitor General Bristow, it is ordered that Richard Harrington Esquire of Washington City District of Columbia, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion of Mr Theodore Cuyler it is ordered that Chapman Biddle Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The New Haven Steam Transportation Company. vs. The Steamboat Continental &c. Appellants

115.

On motion of Mr C. Donohue it is ordered that leave be granted the Clerk to issue the mandate in this cause.

---

59. Ira G. French vs Pltff in Error. Thos. Edwards et al. | On motion of Mr E. Cassedy, it is ordered that this case be assigned for argument on the 15th inst. of April next, after the cases already assigned for that day.

578. The United States vs. Plaintiffs James Wm. Avery, Robert Riggins et al. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably

to the act of Congress in such case made and provided, and on the motion of Mr. Attorney General Williams to dismiss, which was argued by counsel. On consideration whereof, it is the opinion of this Court that the questions certified having arisen on a motion to quash, cannot be certified to this Court under the act of 1802 - it is now here ordered and adjudged by this Court, that this cause be and the same is hereby dismissed, for the want of jurisdiction. And that it be so certified to the said Circuit Court.

Per Mr. Chief Justice Chase.

Dissenting
Mr. Chf. Justice Chase

---

334 Wm. H. Barnes et al. Appts. in Error vs. Chicago R. R. Co.
335 Same " " " Chicago Alton R. R. Co.
336 Same " " " Lake Shore & Mich. S. R. R. Co.
337 Same " " " Phil. & Reading R. R. Co.
338 Same " " " N. C. M. & St. L. R. R. Co.

139 Wm H Brown et al Plffs in Error vs. Phila. & Trenton R.R.Co.

The argument of these cases was continued by Mr. C. Biddle, and Mr. Rudolph Ungler of counsel for the defendants in error and concluded by Mr. Attorney General Williams of counsel for the plaintiffs in error.

The Steamer Catapsco &c. vs. James Boyce

140 Appellants

The argument of this cause was commenced by Mr. C. Donohue of counsel for the appellants, continued by Mr. D. McSherry of counsel for the appellee, and concluded by Mr. Donohue for the appellants.

East Saginaw Salt Manufacturing Company vs. City of East Saginaw et al.

35 Plaintiffs in Error

This cause was submitted to the con-

sideration of the Court on the record and printed arguments by Mr. M. H. Carpenter of counsel for the plaintiffs in error, and by Mr. R. J. Brown of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, March 22, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Tenley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Dana jr. it is ordered that H. G. Russell Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. G. H. Sanford, it is ordered that M. K. Benjamin Esquire of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. H. P. Otto, it is ordered that William G. Jones Esquire, of Cheyenne, Wyoming Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

530 The Kennebec & Portland R.R. Co. vs. The Portland & Kennebec R.P. Co. | Plaintiffs in Error | On motion of Mr. B.R. Curtis, it is now

here ordered by the Court that the entry of his appearance as counsel for the plaintiff in error, be, and the same is hereby stricken out.

---

610. Augustus J. Ambler vs Rodney M. Whipple et al. | Mr. George H. Paschal of counsel for the appellant having suggested to the court, that the appellant was prepared to file the record and have this case docketed pursuant to the rules of this court, moved the court to rescind and annul the decree of this court entered on the 19th. day of February A. D. 1872, docketing and dismissing this appeal. On consideration whereof, it is now here ordered by this court that the decree of the 19th. of February 1872, docketing and dismissing this appeal, be, and the same is hereby rescinded and annulled, and that the appellant have leave to file his case and have the same docketed in conformity to the rules of this court upon payment of costs.

Per Mr. Chief Justice Chase.

Ex parte, In the matter of
T. Jefferson Coyle
10 original — Petitioner

The Petitioner's motion for writs of habeas corpus and certiorari in this cause, was argued by Mr. Henry Stanberry, and Mr. Beverly Johnson in support of the same, and by Mr. Attorney General Williams and Mr. Solicitor General Bruton in opposition thereto; — Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises took time to consider.

The United States etal
v. Plaintiffs in Error
138 Thomas C Brown et al

Mr. P. Phillips in behalf of the United States with the concurrence of Mr. Attorney General Williams, moved the court to advance this cause on the docket and fix a day for the argument of the same — Whereupon this Court not being now here sufficiently advised

of, and concerning what order to render in the premises, took time to consider.

---

330 The Kennebec and Portland Railroad Company vs. Plaintiff in Error
The Portland and Kennebec Railroad Company

On motion for a writ of certiorari in this cause was argued by Mr. A. G. Stanchfield in support of the same, and by Mr. Artemas Libbey, in opposition thereto. Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

111 Thomas K. Welch, Administrator &c. vs. Appellant
Elizabeth J. Burard.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Watkins and Rose of counsel for the appellant, and by Mr. George Taylor for the appellee.

---

113. F. W. Robinson et al
vs. Plaintiffs in Error
The United States

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. J. Stahl, of counsel for the plaintiffs in error, and by Mr. Attorney General Williams and Mr. Solicitor General Bristow for the defendants in error.

---

115. The Steamship Jarvis et al
vs. Appellants.
Judd Sissed and Sherman Oil Company

The argument of this cause was commenced by Mr. N. G. Russell of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 25. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Briston it is ordered that John H. Blackburn Esquire of Paris, State of Illinois and E. M. Hudson, Esquire, of New Orleans State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte, John H. Russell
4 original — Petitioner. | On consideration of the petition and motion for an alternative writ of mandamus filed in this cause, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Dissenting: Mr. Justice Bradley
Mr. Chief Justice Chase
Mr. Justice Clifford

Paul Sears, Reuben Hopkins, and Rebecca H. Smith, Executrix of James Smith, deceased.
93. vs. Appellants
The British Steamer "Scotia" her tackle &c — The British and North American Royal Steam Packet Company, Claimant. | Appeal from the Circuit Court of the United States for the Southern District of New York.

Monday March 25. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Briston it is ordered that John H. Blackburn Esquire of Paris, State of Illinois and E. H. Hudson, Esquire, of New Orleans State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

---

4 original	Ex parte, John H. Russell — Petitioner.	On consideration of the petition and motion, for an alternative writ of mandamus filed in this cause, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied. Dissenting: Mr. Justice Bradley Mr. Chief Justice Chase Mr. Justice Clifford

93.	Paul Sears, Reuben Hopkins, and Rebecca K. Smith, Executrix of James Smith, deceased. vs. The British Steamer "Scotia" her tackle &c — The British and North American Royal Steam Packet Company, Claimants	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel, On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Strong.

129.	John T. Butler vs. Francis Watkins and The Patent Salt and Salt Company	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the

said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Strong.

Joel C. Slaughter, Administrator of H. S. Slaughter, deceased. Appellant,
v.
Julius Gerson.

114. Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest

until paid at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

Per Mr. Justice Field.

The Commonwealth of Kentucky
vs. Petitioner.
George S. Boutwell, Secretary of the Treasury of the United States.

On consideration of the petition and motion for a peremptory mandamus, filed in this cause and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Justice Davis.

---

108. Peter Conrad
vs. Appellant
Hiram K. Hazlett and Adams Reaves

Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that decrees bear in the courts of the State of Missouri.

Per Mr. Justice Davis.

The Union Mutual Life Insurance Company of Maine
vs.
Henry Wilkinson.

589. Plaintiff in Error

In Error to the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that

the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

Per Mr. Justice Miller.

Ex parte, In the matter of Alexander McNeil
v. original — Petitioner.

Upon consideration of the motion filed for a writ of prohibition in this cause, and of the arguments of counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Justice Swayne.

Ex parte, In the matter of Henry H. Sowd
v. original — Petitioner.

Upon consideration of the motion filed for a writ of prohibition in this cause and of the

arguments of counsel thereupon had, it is now here ordered by this Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Swayne

---

18. The United States, Appellants | Appeal from the Court of Claims.
vs.
John Silsby.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, the court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

By a divided Court.

---

74. The United States, Appellants | Appeal from the Court of Claims.
vs.
Thomas G. H. Crussell.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Chase.

Dissenting:
Mr. Justice Davis
" Swayne
" Miller

---

126 George P. Steinbach vs. The Relief Fire Insurance Company of New York. | In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Chase

---

330. The Kennebec and Portland Railroad Company vs. Plaintiff in Error.
The Portland, and Kennebec Railroad Company.

On consideration of the motion for a writ of certiorari in this cause and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court, that said motion be, and the same is hereby denied.

per Mr. Chief Justice Chase.

355. Peter Mouget, Appellant, vs. Thomas Shirley. | Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and on the motion of Mr. Baxter of counsel for the appellant to dismiss this appeal which was argued by counsel - On consideration whereof it is now here ordered, adjudged, and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

---

438. The United States and Francis Lyon vs. Rhoderick Brown et al | Plaintiffs in Error | On consideration of the motion filed to advance this cause on the dockets and fix a day for argument, it is now here

ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Chase.

1492. Hibernia Armstrong vs. The United States | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein, in conformity with the opinion of this Court.

per Mr. Chief Justice Chase.

Ex parte, T. Jefferson Grect, 10. original — Petitions	On consideration of the motion for writs of certiorari and habeas corpus in this cause, and of the arguments of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that writs of habeas corpus and certiorari be, and the same are hereby awarded to be issued forthwith returnable on the 8th day of April next — And that the argument on the return be, and the same is hereby assigned for argument on Friday the 12th of April next.

The Steamship "Java" &c v. Appellants Judd Sinnud and Sperm Oil Company	The argument of this cause was continued by Mr. R. H. Dana, junr., of counsel for the appellee, and concluded by Mr. H. G. Russell of counsel for the appellant.

Order.

The Chief Justice announced to the Bar that the Court will adjourn on Thursday next to Monday following. — And on Monday the 6th day of May will adjourn to Monday the 28th of October next.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 26, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr F. Carroll Brewster it is ordered that Lewis Hodes Emith Esquire of Philadelphia and R. A. Lamberton Esquire of Harrisburg State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and the were sworn

accordingly.

On motion first made to the Court in this behalf by Mr. E. H. Stoughton it is ordered that J. K. Hayward, Esquire of New York City, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Stanberry it is ordered that Thomas E. Brumlette Esquire of Louisville, State of Kentucky, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly;

---

510. William F. Davidson, Plaintiff in Error, vs. Arthur Connelly; | On motion of Mr. Stanberry it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

116.	Edward Pugh vs. The United States	Appellant	The argument of this cause was commenced by Mr. J. Quincy of counsel for the appellant. The Court declined to hear further argument in the case.

117.	Albert S. Morey vs. Asa Whitney	Appellant	Ordered by the Court that these cases be, and the same are hereby passed for this session. (on account of sickness of counsel)
118.	Albert S. Morey vs. Asa Whitney	Appellant	

119.	James B. Murray vs. Hamilton	Plaintiff in Error	In Error to the Supreme Court of the State of Pennsylvania.
	Jane S. Gallen		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the stipulation of counsel for the respective parties on file, it is now here ordered and adjudged by this Court that the

writ of error in this cause be, and the same is hereby dismissed at the cost of the defendant in error.

Per Mr. Chief Justice Waite.

---

150. The Phenix Insurance Company of Brooklyn New York vs. Plaintiff in Error. Vincent Hamilton et al. | On motion of Mr. P. Phillips it is ordered that this cause be passed until the 20th of April.

---

151. James Bigler vs. Appellant William Walker et al. | This cause was argued by Mr. J. K. Hagner and of counsel for the appellant, and by Mr. Conway Robinson for the appellees.

---

152. Mary M. Kennedy et al. vs. Plaintiffs in Error. John Doe, lessee of Thos. O. Sansbury et al. | On the motion of Mr. T. T. Crittenden

it is ordered that this cause be passed until the adjourned term.

The Eastern Railroad Company 133. v. Plaintiff in Error George H. Kent, J. B. Simpson, H. F. Brewer, B. F. Peck, 2d Joseph Davis 2nd H. A. Brown, B. F. Spinney, J. H. Brown, Jerome Ingalls et al.	In Error to the Supreme Judicial Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and on the motion of Mr. B. R. Curtis of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed each party paying their own costs.

Per Mr Chief Justice Chase.

---

154. The United States vs. Athelbands Amherst H. Wilder

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Hill of counsel for the appellants, and by Mr. J. B. Sanborn of counsel for the appellee.

---

155. The Philadelphia and Reading Railroad Company vs. Plaintiff in Error, The Commonwealth of Pennsylvania.

and

156. Same vs. Same

The argument of these causes was commenced by Mr. R. A. Sanderson of counsel for the plaintiff in error and continued by Mr. Lewis A. Smith of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 27, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Ashley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. P. Poland, it is ordered that James H. Carpenter Esquire, of Rutland, State of Vermont be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. S. Ellis, it is ordered that Daniel Van Gennep, Esquire, of Marion, State of Indiana, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

73.	Charles Gibson vs. Plaintiff in Error Charles P. Chouteau et al.	On motion of Mr. M. Blair, it is ordered that leave be granted the Clerk to issue the mandate in this cause.

636.	Edward Swinson, Charles Haguewood & H. S. Bennet vs. Plaintiffs in Error The Territory of Wyoming	Mr. H. S. Ellis of counsel for the defendants in error having

filed a transcript of the record in this cause, duly certified by the Clerk under the seal of the Supreme

Court of Wyoming Territory, and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error from the Supreme Court of Wyoming Territory, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

Per Mr. Chief Justice Chase.

	The Philadelphia and Reading Railroad Company.	The argument of this case was resumed by Mr. L. H. Smith and F. Carroll Brewster of counsel for the defendants in error, and concluded by Mr. J. E. Gowen of counsel for the plaintiffs in error.
155.	vs. Plaintiffs in Error,	
	The Commonwealth of Pennsylvania:	
	and	
	The Philadelphia and Reading Railroad Company.	
156.	vs. Plaintiffs in Error,	
	The Commonwealth of Pennsylvania.	

	Albert Mowry	This cause was argued by Mr. J. S. Sherman of counsel for the appellant and submitted on printed arguments by Mr. Henry Baldwin Jr. of counsel for the appellee.
147.	vs. Appellant	
	Asa Whitney.	

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock.

Thursday, March 28, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Albert L. Mowry, Appellant
vs.
Asa Whitney,

On application of counsel, it is now here ordered by the Court that one additional hour be allowed on each side in the argument of this cause.

Thursday March 28. 1872. Continued.

148.	Albert L. Merry vs. Appellant / Asa Whitney	The argument of this cause was commenced by Mr. C. B. Collier of counsel for the appellant and continued by Mr. E. H. Stoughton of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday morning next, at Eleven o'clock.

Monday April 1st 1872.

Pursuant to adjournment the Court met this morning at the Capitole.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. Trumbull, it is ordered that C. K. Hutchinson Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hughes, it is ordered that Charles Denby Esquire of Evansville State of Indiana, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Solomon G. Kitchell
vs. Plaintiff in Error
Henry H. Bedford and
Randolph Webber

In Error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs

and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. Dissenting: Mr. Justice Bradley, Mr. Justice Strong.

Max Klinger, Plaintiff in Error, vs. The State of Missouri. | In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction. Mr. Justice Bradley.

---

131. The Steamboat "St. John" her Engines &c. The New Jersey Steamboat Company, Claimants vs. Appellants Abraham & Hasbrouck. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel — On consideration whereof it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest (until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Justice Bradley.

Monday, April 1, 1872, Continued.

35. John Hyman and George Kennard v. The United States

Plaintiffs in Error.

In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to arrest the judgment.

Dissenting: per Mr. Justice Strong
Mr. Justice Bradley
Mr. Justice Swayne

124.	Samuel Gollon vs. Plaintiffs in Error. Aaron Cain and Henry Coons.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

47.	Margaret Jacoway Administratrix of Benj. S. Jacoway, deceased. vs. Plaintiffs in Error Tilford Gentry.	In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of Arkansais, and was argued by counsel — On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed for want of jurisdiction.

per Mr. Justice Swayne.

John D. Worthy, Executor of Archibald D. Palmer deceased.
vs.
Henry Marston.

112. Plaintiff in Error.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Swayne.

Ambrose H. Sevier Administrator of John A. Jordan, deceased, and J. C. Ricks.
vs. Plaintiffs in Error.
325 Langdon C. Haskell as Administrator of Augustus M. Smith, deceased.

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and on the motion of Mr. Williams of counsel, to dismiss the writ of error, which was argued by counsel—

On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Swayne.

on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel — On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed for want of jurisdiction.

per Mr. Justice Swayne.

John D. Worthy, Executor of Archibald D. Palmer deceased.
vs.
Henry Marston.

112. Plaintiff in Error.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Swayne.

Ambrose H. Sevier Administrator of John A. Jordan, deceased, and J. C. Ricks.
325 vs. Plaintiffs in Error,
Langdon C. Haskell as Administrator of Augustus M. Smith, deceased.

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and on the motion of Mr. Williams of counsel, to dismiss the writ of error, which was argued by counsel—

On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Swayne.

314

The Steamer Cayuga &c
The Hudson River Steam-
boat Company, Claimants.
vs. Appellants.
The Hoboken Land and
Improvement Company

Appeal from
the Circuit
Court of the
United States
for the Eastern
District of
New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr. Justice Clifford.

John J. Walker, John J. Walker, Executors of Maria Walker, Silliams Barnewall, H. A. Lowe, C. C. Lowe, A. H. Rice, J. A. Hopkins, H. L. Hopkins, S. M. Oliver and Kate E. Oliver,		Appeal from the Circuit Court of the United States for the Northern District of Illinois
109	vs.	Appellants.
William M. Gerby, S. M. Kenfoot, J. F. Henson, Alonzo Lawson, Samuel Irving, H. H. Honore, F. Phillips, H. E. Tickett, J. B. Shepard and H. I. Monroe.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof the court being equally divided in opinion it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same

is hereby affirmed with costs.
By a divided Court.

---

18. The United States vs. John Silvey, Appellants
and
214. The United States vs. Thomas J. H. Crussell, Appellants

On motion of Mr. Hughes it is now here ordered by the Court that leave be granted the Clerk to issue the mandates in these cases.

---

118. Albert L. Mowry vs. Asa Whitney, Appellant

The argument of this cause was continued by Mr. B. R. Curtis of counsel for the appellee, and concluded by Mr. A. G. Thurman of counsel for the appellant.

The Chief Justice announced that the Court will devote Thursday to conferences upon cases already submitted or argued, and will therefore adjourn from Tuesday to Thursday next.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday. April 2nd. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate Justices
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

1872. Hibernia Armstrong vs. The United States — Appellant

On motion of Mr. R. M. Corwine it is ordered that leave be granted the clerk to issue the mandate in this cause.

---

157. James S. Easley, etal. vs. John N. Kellow et al. Appellants.

This cause was argued by Mr. James Hughes of counsel for the appellants, and by Mr. L. Trumbull of counsel for the appellees.

---

158. Jacob C. Hook et al, vs. Ann Payne et al, Appellants.

This cause was argued by Mr. J. S. Henderson of counsel for the appellants, and submitted on printed arguments by Mr. S. T. Glover, and Mr. J. R. Shepley of counsel for the appellees.

Proclamation being made the Court is adjourned until Thursday morning next, at Eleven O'Clock.

Thursday, April 4th, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Kesley Hitchcock Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. A. Dick, it is ordered that Isaac E. Morse of New York City be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George H. Woodward, it is ordered that Franklin B. Gowen, Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

159 Reuben Sharpentier vs Plaintiff in Error, J. Montgomery et al

The argument of this cause was commenced by Mr M. Blair of counsel for the Plaintiff in Error, and continued by Mr. S. C. Houghton of counsel for the defendants in Error.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Friday, April 5th, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Ex parte In the matter of Max Newmann et al Petitioners | Mr. P. Phillips in behalf of Mr. D. McMahon of counsel for the petitioners having moved the Court for a rule on the Circuit Judge of the United States for the Eastern District of New York, requiring him to show cause on the 19th day of April A.D. 1872,

why a peremptory writ of mandamus should not issue directed to the Honorable Lewis B. Woodruff, Circuit Judge holding the United States Circuit Court for the Eastern District of New York, directing him to hear the appeal of said parties taken from the decision of Charles L. Benedict, District Judge of the United States and to decide the same on the merits of the controversy. It is now here ordered by the Court that a rule on the Honorable Lewis B. Woodruff, Judge of the Circuit Court of the United States for the Eastern District of New York, requiring him to show cause on the 19th day of April A. D. 1872, why a peremptory writ of Mandamus should not issue for the purposes above stated, &c, and the same is hereby granted.

And it is further ordered that a copy of this rule be forthwith served on the said Circuit Judge.

207.	The United States, Appts.	vs.	Chas. H. Manning
208.	Same	"	D. A. Fitzpatrick
209.	Same	"	Geo. H. Hall
210.	Same	"	John Bohn
211.	Same	"	T. E. Sayle
212.	Same	"	C. F. Holbrook
213.	Same	"	L. Q. LaRein
214.	Same	"	J. G. Richards
215.	Same	"	W. A. Newman.

On the motion of Mr. Solicitor General Bristow, it is now here ordered by the Court, that these cases be advanced on the docket, and assigned for argument, on the 15th inst. immediately after the argument of the cases already assigned for that day.

Ex parte The United States
11. original — Petitioner

On motion of Mr. Solicitor General Bristow, leave is hereby granted him to file application for an alternative writ of Mandamus on the

Judges of the Court of Claims.

503. Frederick Steines et al vs. Plaintiffs in Error, Franklin County et al

The motion to dismiss this cause was argued by Mr. F. H. Dick in support thereof, and by Mr. J. H. Evans and Mr. H. F. Sloan in opposition thereto. Whereupon this court not being now sufficiently advised of, and concurring what order to render in the premises took time to consider.

---

467. The North Western Union Packet Company vs. Plaintiff in Error, The Home Insurance Company of New York.

The motion to re-instate this cause on the docket and for a writ of certiorari was argued by Mr. J. M. Carlisle and Mr. J. D. McPherson in support thereof, and by Mr. J. H. McCrary in opposition thereto. Whereupon this Court not being now

here sufficiently advised of, and concerning what order to render in the premises, took time to consider.

355.	Peter Mouges vs. Appellant Thomas Shirley	On motion of Mr. Maynard - it is ordered by the Court, that leave be granted him to withdraw from the files of the Court, the transcript of the record in this cause, by leaving with the Clerk, a receipt for the same.

32.	J. L. Rice, Administrator et al. vs. Plaintiffs in Error Russell Houston Administrator &c. and J. H. Ewing & J. L. Rice Administrators &c.	On the motion of Mr. H. Maynard it is ordered that leave be, and the same is hereby granted the Clerk to issue the Mandates in these causes.
33.	vs. Plaintiffs in Error Russell Houston Administrator	

290.	J. Jules Germain vs. Plaintiff in Error James Kuson et al.	The motion to dismiss this cause was argued by Mr. A. Nelson in support of the same and by Mr. F. H. Dick in opposition thereto - Whereupon this Court not being sufficiently advised of, and concerning what order to render in the premises, took time to consider.

154.	R. S. Carpentier vs. Plaintiff in Error J. Montgomery et al	The argument of this cause was continued by Mr. F. H. Dick of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday, April 8th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Solicitor General Bristow, it is ordered that James H. Bradbury Junior, Esquire of Augusta, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

38. The East Saginaw Salt Manufacturing Company, vs. Plaintiff in Error, The City of East Saginaw and Charles V. Gilland Marshal. | In Error to the Supreme Court of the State of Michigan

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley.

The Steamship "Java" &c James Burns, Robert Burns, and Charles McIver, Claimants vs. Appellants. The Jackson Lumber & Boom Oil Company | Appeal from the Circuit Court of the United States for the District of

Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to enter a decree affirming the decree of the District Court.

Per Mr. Justice Bradley

Dissenting:
Mr. Justice Clifford.
Mr. Justice Davis.

Joseph K. Bradley 118. vs. Plaintiff in Error George P. Fisher	In Error to the Supreme Court of the District of Columbia.

Monday, April 8th, 1872. Continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

Dissenting:
Mr. Justice Davis
Mr. Justice Clifford.

The Traders National Bank of Chicago,		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
123.	vs. Appellant	
George H. Campbell Assignee of Charles Hitchcock, and Edward M. Endicott		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the Northern District of Illinois, and was argued by counsel— On consideration whereof, it is now here ordered, adjudged, and decreed by this court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Illinois.

per Mr. Justice Miller.

George H. Deuel vs. Plaintiff in Error
Franz Ennenger & Catharine Graham.

In Error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri and was argued by counsel— On consideration whereof it is now here ordered and adjudged by this Court, that the judgment

of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Swayne.

The First National Bank of Detroit.
vs. Plaintiff in Error.
The National Tahoqua-eque Bank.

In Error to the Supreme Court of Errors of the State of Connecticut.

116.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Clifford.

---

36. John Frank Pargoud vs. Appellant The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel — On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby reversed — and that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Chase.

---

129. The United States. vs. Plaintiff in Error. Charles J. Ballard, Jos. Symmes, N. Pleasants, and David S. Sexton. | In Error to the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed.

per Mr. Chief Justice Chase.

---

86. The Steamboat "Telegraph No 2" v. Appellants
John Gordon et al
and
The Propeller "Mary J. Vaughan" v. Appellants
57. John Gordon et al.

Mr. Phillips filed consent of counsel and obtained leave for the mandates to issue in these causes.

---

159. R. S. Carpenter, v. Plaintiff in Error
J. Montgomery et al.

The argument of this cause was concluded by Mr. F. A. Dick

of counsel for the plaintiff in Error.

160. The Schuylkill and Dauphin Improvement and Railroad Company vs. Plaintiff in Error S. A. Thomson et al

The argument of this cause was commenced by Mr. A. H. Thurlow of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday. April 9th. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Stanbery it is ordered that Henry D. Garrington Esquire of Crawfordsville, State of Indiana, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

The Schuylkill and Susquehanna Improvement and Railroad Company vs. Plaintiff in Error S. A. Munson et al.	The argument of this cause was continued by Mr. F. E. Loveland Mr. George H. Woodward of counsel for the defendants in Error, and concluded by Mr. H. H. Sharpless of counsel for the plaintiffs in Error.

160.

Ruddens Williams vs. Plaintiff in Error Ira T. E. Kirtland.	This cause was argued by Mr. E. C. Palmer of counsel for the plaintiff in Error, and by Mr. Ira D. Harrid of counsel for the defendant in error.

161.

J. T. Pricer et al vs. Plaintiffs in Error James Carskadon	This cause was argued by Mr. Caleb Boggs of counsel for the plaintiff in error, and submitted on printed argument by Mr. B. Stanton of counsel for the defendants in Error.

162.

163.	William Creery et al. vs. Appellants The Eclipse Fertilizer Company.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. N. Schroo of counsel for the appellants, and by Mr. Conway Robinson of counsel for the appellees.

Proclamation being made, the Court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday April 10th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons, Esquire Marshal.
David Busby Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. O. Houghton, it is ordered that John H. Coghlan, Esquire of Suisun City, State of California be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. F. T. Frelinghuysen, it is ordered that James S. Lewis Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

164. James S. French vs. Appellant / Samuel K. Shoemaker. | This cause was argued by Mr. H. C. Langston and Mr. F. P. Stanton of counsel for the appellant and by Mr. S. J. Durant and Mr. J. K. Bradley of counsel for the appellee.

---

165. A. J. Caperton vs. Plff. in Error / Philip Bowyer and / A. J. Caperton vs. Plff. in Error / William A. Bullard Administrator &c. | The argument of these cases was commenced by Mr. R. T. Merrick of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 11th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Tisley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Clarkson N. Potter, it is ordered that Douglass Campbell and E. Ellery Anderson Esquires of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court

in this behalf by Mr. R. T. Merrick, it is ordered that Joseph P. Joachimsen Esquire of New York City, and John K. Thompson Esquire of Chicago State of Illinois, be admitted to practice as attorneys and counselors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conway Robinson, it is ordered that John Selden Esquire, of Washington City District of Columbia, be admitted to practice as an attorney and counselor of this court, and he was sworn accordingly.

---

131. The Steamboat "St. John" vs. Appellant
Abraham E. Maybrick

On motion of Mr. Donohue it is ordered that leave be granted the Clerk to issue the Mandate in this cause.

No 5. S. S. Culperton vs. Plaintiff in Error Philip Sawyer and S. S. Culperton vs. Plaintiff in Error No 6. Wm A. Ballard, Administrator

The argument of this cause was continued by Mr. R. J. Merrick of counsel for the Plaintiff in Error, by Mr. J. Hubley Ashton of counsel for the defendant in error, and concluded by Mr. Conway Robinson of counsel for the Plaintiff in Error.

No 7. A. C. Paige's Executors vs. Appellants David Sandstead

The argument of this cause was commenced by Mr. C. A. Peltz of counsel for the Appellants—

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 2d 1852.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Isaac N. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. A. G. Sumner, it is ordered that Benjamin F. Scott Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bristow, it is ordered that Alexander J. Bailey, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

George P. Scriven by George M. Elwains his next friend and guardian vs. Appellants Jerrid P. Cheesbrough et al.

Mr. John H. Thompson filed motion and affidavit for further time to file transcript of record in this case.

Ex parte, T. Jefferson Jeeo, original Petitioner

On the application of counsel, it is ordered that one additional hour be granted each side, in the argument of this cause.

---

10. Ex parte T. Jefferson Starr. original — Petitioner. | The argument of this cause was commenced by Mr. Henry Stanbery in behalf of the petitioner, and continued by Mr. Solicitor-General Bristow and Mr. Attorney General Williams in opposition thereto.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Monday. April 15th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire, Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Lyman Trumbull, it is ordered that Benjamin A. Willis Esquire of New York City State of New York be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

Monday, April 15th, 1872. Continued

117.	Louisa Chew vs. Plff. in Error, Richard J. Brumagin	In Error to the Court of Chancery of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Chancery of the State of New Jersey, being possessed of the record and proceedings, upon a remittitur from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Court of Chancery in this cause, be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Court of Chancery for further proceedings to be had therein, in conformity with the opinion of this Court.

Per Mr. Justice Strong.

Monday, April 15th 1872. Continued.

Bailie Peyton
vs.
G. Keiyken and
G. W. Fulmore.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and damages at the rate of ten per cent. in addition to interest from the date of the decree below until paid at the same rate per annum that decrees bear in the Courts of the State of Tennessee.

Per Mr. Justice Strong.

128. Isaac A. Davenport vs. John R. Land, Emma S. Land, Ida Squires, and her guardian William E. Corbett, Jas. P. C. Lonsdale et als. | Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, it is now here ordered adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Field.

---

64. George H. Black vs. Davis R. Curran | In Error to the Circuit Court of the United States for the Southern

Monday, April 15th 1872. Continued.

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Davis.

F. H. Robinson, E. H. Robinson, L. L. Robinson and S. F. Fullerworth vs. Plaintiffs in Error. The United States. | In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now

hereordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be and the same is hereby affirmed.

per Mr. Justice Davis.

John Watson, Joseph Soulé, J. H. Hecker, A. Given, George Fulton, Henry Farley, and E. P. Fold.

12. vs. Appellants.

William A. Jones, Mary J. Jones and Elinor Lee.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby af-

firmed with costs.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Clifford
Mr. Justice Davis

The Chief Justice was not present at the arguments, and took no part in the decision of the case.

Frederick Steins, Washington Imam, Benjamin F. Reed for themselves and five hundred other citizens tax-payers & property holders of Franklin County, Missouri.

vs.

Franklin County, John Hall, Amos P. Foster, Francis Becker, Chas. Reichard, H. J. Budd, H. H. Decker et al.

In Error to the Supreme Court of the State of Missouri.

503.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion of Mr. F. A. Dick to dismiss

the writ of error, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Clifford

Jeter Clinton, J. D. T.
M^c Allister, St. Smith,
Brigham Y. Hamilton,
C. Ruggerd, H. S. Phillips,
Wm Hyde, Chas. Livingston,
Chas. Crow, J. Redding,
J. Jones, A. Smith, F. Curtis,
D. H. Sealer, J. M^c Rae,
J. W. Sharp, T. M^c Kenna,
Thos. Burchell & R. Smith.
vs. Plaintiffs in Error
Paul Englebrecht, Christian
Rehmke and Frederick
Lutz.

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on

the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Chase.

The Butchers Benevolent Association of New Orleans
60. vs. Plaintiff in Error
The 6. 6. & S. L. & S. H. Co's.

Paul Esteben et al
61. vs. Plaintiffs in Error
State of Louisiana Ex rel:
S. Belden Atty. Genl.
and

Ordered by the Court that these cases be continued, and re-argued as

The Butchers Benevolent Association of New Orleans
vs. Plaintiff in Error
62. The Crescent City Live Stock Landing & Slaughter House Co.

the next term.

The Philadelphia and Reading Railroad Company
vs. Plaintiff in Error
155. The Commonwealth of Pennsylvania.

and

The Philadelphia and Reading Railroad Company
vs. Plaintiff in Error.
156. The Commonwealth of Pennsylvania.

Ordered by the Court that these cases be continued for reargument at the next term, and leave is hereby granted to counsel for parties interested in the questions to file printed briefs.

George P. Scriven by George F. Edmunds his next friend and guardian
vs Appellees
Percival P. Oldershaw et al.

Ordered by the Court that the time for filing the record in

in this case be extended till Wednesday the first of May next.

Order.

Ordered, that no cause will be taken up for argument after Friday the 26th instant.

---

10. Ex parte S. Jefferson Gray original Petitioner | The argument of this cause was concluded by Mr. Reverdy Johnson in behalf of the petitioner.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

---

Tuesday, April 16th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice -
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

---

35. John F. Bluey et al. vs. Plaintiffs in Error
The United States

On motion of Mr. Hill, leave is hereby granted the Clerk to issue the mandate in this cause.

A. C. Paige's Executors. vs. Appellants David Burks, Junior.	The argument of this cause was continued by Mr. E. E. Anderson of counsel for the appellees and concluded by Mr. Douglass Campbell of counsel for the appellant.
William H. Starnes vs. Appellant James F. Joy.	On application of counsel, it is ordered that two hours additional time be granted each side in the argument of these cases.
William H. Starnes vs. Appellant James F. Joy.	The argument of these cases was commenced by Mr. William Lawrence of counsel

360. Peter F. Holden vs. James F. Joy | for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday, April 17th. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

---

337 William H. Vanns vs. James F. Joy, Appellant

338 Same vs. Same and Peter F. Holden vs. James F. Joy, Appellant

360

The argument of these cases was continued by Mr. B. R. Curtis of counsel for the appellee, and concluded by Mr. B. F. Butler of coun-

Thursday. April 9th 1772. Continued.

-sel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday, April 15th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Duell, it is ordered that Warren Farnum, Esquire, of Watkins, Schuyler County, New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Schuler Counsel Bristow, it is ordered that Eugene B. Wright Esquire of Chicago State of Illinois, be admitted to practice in an attorney and counsellor of this Court and let a writ issue accordingly.

Wm S. Huntington
126 vs. Plaintiff in Error
The State of Texas.

The State of Texas
1130. vs. Plaintiff in Error
Wm S. Huntington
and
The First National Bank
of Washington et al.
523. vs. Plaintiff in Error
The State of Texas.

Mr. Ashton of counsel having suggested the death of Wm S. Huntington one of the parties in these cases, moved the court for an order substituting the appearance of Jenny A. Huntington, Wm M. Jenney and Frank H. Jessaway administrators of the said William S. Huntington, deceased, On consideration whereof, it is now here ordered by the Court, that the appearance of the said administrators

as aforesaid, lie, and they are hereby entered and made parties in these cases.

1139. Wm. S. Huntington's Administrators, vs. Plaintiffs in Error, The State of Texas and The State of Texas vs. Plaintiffs in Error, Wm. S. Huntington's Administrators

These cases were argued by Mr. H. S. Cooper and Mr. J. H. Ashton of counsel for Huntington's Administrators and by Mr. T. J. Durant, and Mr. R. T. Merrick of counsel for the State of Texas.

---

933. The First National Bank of Washington & Wm. S. Huntington's Administrators. vs. Plaintiffs in Error, The State of Texas

This cause was argued by Mr. Ashton and Mr. Cox of counsel for the plaintiffs in error, and by Mr. Durant and Mr. Merrick for the defendants in error.

59.	Ira S. Trunk vs. Aff. in Error. Thomas Edmondson.	The argument of this cause was commenced by Hon. S. O. Houghton of counsel for the plaintiff in error, and continued by Mr. E. Brasserly of counsel for the defendants in Error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 19th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Eugene Casserly it is ordered that James H. Mitchell Esquire of San Francisco State of California, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

173.	Mrs. J. M. Combs survivor. vs. Plaintiff in Error The County Commissioners of Knox County.	On the application of Mr. F. J. Shumway, which was opposed by Mr. H. Smith, it is now here ordered by the Court, that the motion to dismiss this cause be, and the same is hereby continued to the adjourned term.

394.	F. Bartemeyer Sr. vs. Plaintiff in Error The State of Iowa.	On the motion of Mr. A. P. Cotton leave is hereby granted him to withdraw from the files of this Court, the transcript of the record in this cause, by leaving with the Clerk a receipt for the same.

393.	Hannah H. Sampson widow of C. C. Sampson, dec'd. vs. Plaintiff in Error M. Gillis and Samuel G. Ferguson	In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr. P. Phillips, in behalf of Mr. John A. Grow of counsel for the plaintiff in error, it is now here ordered and adjudged by this court, that the writ of error in this cause, be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

The Phenix Insurance Company of Brooklyn N.Y. vs. Plaintiff in Error
150. Vincent Hamilton et al

On motion of Mr. P. Phillips it is now here ordered by the Court that this cause be reassigned for argument on Monday the 22nd instant.

Ex parte, The United States Petitioner
11. original

The motion for a writ of mandamus in this cause was argued by Mr. Assistant Attorney General

Hill in support of the same, and by Mr. H. Penn Clarke in opposition thereto, - Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

12. Ex parte, Mary Sherman et al Petitioners. | Hearing ment of the petition

and motion for a writ of Mandamus in this cause was commenced by Mr. D. McMahon in support thereof, continued by Mr. Edward Salomon in opposition thereto, and concluded by Mr. McMahon in support of the motion. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Monday April 22nd 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons, Esquire, Marshal
David Healey Middleton, Clerk.

Proclamation being made the Courts opened.

On motion first made to the Court in this behalf by Mr. J. A. Morris, It is ordered that A. S. Williams Esquire, of Topeka State of Kansas be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Philip Phillips, it is ordered that J. K. Goodrich Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

---

148. Albert L. Khoury vs. Appellant, Asa Whitney | Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel— On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded

to the said Circuit Court, with directions for further proceedings to be had therein in accordance with the rules laid down in the opinion of this Court.

Per Mr Justice Strong.

Thomas R. Welch, Administrator of Chester Ashley, deceased and Joshua M. Craig as Administrator of Silas Craig, deceased,

111. vs. Appellants

Elizabeth J. Barnard et al. heirs of Thomas Barnard, deceased,

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Field.

161.	Thaddeus Hillians vs. Annas J. E. Kirkland	In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to award a venire facias de novo.

Per Mr. Justice Field.

154.	The United States vs. Amherst H. Wilder's Appellants	Appeal from the Court of Claims

This cause came on to be heard on

the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition of the plaintiff.

per Mr. Justice Davis.

Albert L. Mowry, Appellant, vs. Asa Whitney. | Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this

cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

330

The Kennebec and Portland Railroad Company. vs. Plaintiff in Error, The Portland and Kennebec Railroad Company, John Patten, surviving trustee, &c. Defendant.	In Error to the Supreme Judicial Court of the State of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and on the motion of Mr. A. Libbey to dismiss the writ of Error which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Miller.

11. William White, Senior, Plaintiff in Error, vs. John R. Hart & H. D. Davis | In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Swayne.

Dissenting:
Mr. Chief Justice Chase.

19.	Henry T. Osborne vs. Plff. in Error. Young H. G. Nicholson, and Edward M. Hicks.	In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged, by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Justice Swayne.

Dissenting:
Mr. Chief Justice Chase.

The Schuylkill & Dauphin Improvement & Railroad Company - The Bear Mountain Franklin Coal Company et al. vs. Plaintiffs in Error, Samuel A. Thomson and James Hutson Williams and Helen E. M. Williams his wife.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

160.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

Mr. Justice Strong having been of counsel for one of the parties, did not sit in this case.

164. James S. French vs. Appellant / James M. Shoemaker | Appeal from the Circuit Court of the United States for the District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Virginia and was argued by counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Clifford.

---

608. Michael O'Donald vs. Plff. in Error / Henry F. Russell et al. | On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by

the court, that the writ of Error in this cause cannot operate as a supersedeas, but that the motion to dismiss the writ be, and the same is hereby denied.

Per Mr. Chief Justice Chase.

---

940. J. Jules Germain v. Plff. in Error, James Mason and L. B. Duke. | In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and on the motion of Mr. J. H. Ashton to dismiss the writ of error which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

Ex parte, In the Matter of		Petition for
The United States -		Mandamus
11 - original -	Petitioner -	to the Court of
		Claims -

On consideration of the petition for an alternative writ of mandamus in this cause, and of the arguments of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court, that a rule issue to the Judges of the Court of Claims, requiring them to show cause on Thursday the 25th instant, why an alternative writ of Mandamus should not issue directing them to hear and decide certain motions for a new trial and for stay of judgment, in the case of John H. Russell, Petitioner, vs. The United States.

Per Mr. Chief Justice Chase.

Order.

The Reporter having represented that owing to the number of decisions

at the term it will be impracticable to print the reports in one volume, it is ordered that the reporter publish an additional volume in this year pursuant to the act of Congress of March 3rd 1863.

---

99. Ira G. French vs. Thomas Edwards et al. | The argument of this cause was continued by Mr. E. Casserly of counsel for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 23d 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable, Salmon P. Chase, Chief Justice

Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Conning, it is ordered that R. H. Russell, Esquire, of New York City, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

39.	Ira G. French vs. Thomas Edwards et al	Plaintiff in Error.

The argument of this cause was concluded by Mr. S. O. Houghton of counsel for the plaintiff in error.

---

204. The United States, Appls. vs. Geo. N. Miller.
207. Same " " Chas. H. Manning
208. Same " " P. A. Fitzpatrick
209. Same " " Geo. N. Hall
210. Same " " John Bohn
211. Same " " Thos. E. Lytle
212. Same " " Chas. F. Holbrook
213. Same " " L. D. Le Rieu
214. Same " " Jno. G. Richards.
215. Same " " Wm. S. Newman.

These cases were argued by Mr. Assistant Attorney General Hill of counsel for the appellants, and by Mr. A. P. Chipman of counsel for the appellee in No. 204. and by Mr. L. P. Poland of counsel for the appellees in the other cases.

The Phenix Insurance Company of Brooklyn N.Y. vs. Plaintiff in Error, Vincent Hamilton et al. | The argument of this cause was commenced by Mr. Alvin C. Bradley of counsel for the plaintiff in error.

150.

Frederick J. Kimball vs. Plaintiff in Error, Henry Hart. | In Error to the Circuit Court of the United States for the District of Louisiana.

115.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr. Conway Robinson of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, April 21st 1875.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. Lincoln, it is ordered that James Moore Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

---

150. The Thames Insurance Company of Brooklyn N.Y. vs. Plaintiff in Error, Vincent Hamilton et al

The argument of this cause was continued by Mr. A. C. Bradley of counsel for the plaintiff in error, by Mr. P. Phillips of counsel for the defendants in error, and concluded by Mr. Bradley for the plaintiff in error.

---

168. The Gorham Manufacturing Company vs. Appellant George C. White

The argument of this cause was commenced by Mr. C. F. Blake of counsel for the appellant, and continued by Mr. George Gifford of counsel for the appellee, and by Mr. C. M. Keller of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, April 25th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

---

168. The Gorham Manufacturing Company, Appellant vs. George C. White

The argument of this cause was concluded by Mr. C. M. Keller of counsel for the appellant.

The Republic Fire Insurance Company
169 vs. Plaintiff in Error
Charles and Jos. R. Weide

The Hanover Fire Insurance Company.
170. vs. Plaintiff in Error
Charles and Jos. R. Weide

The Germania Fire Insurance Company.
171. vs. Plaintiff in Error
Charles and Jos. R. Weide
and
The Niagara Fire Insurance Company.
172. vs. Plaintiff in Error
Charles and Jos. R. Weide

These cases were argued by Mr. J. D. McPherson of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. W. H. Peckham of counsel for the defendants in error.

Henry C. Yeager et al
172. vs. Plaintiff in Error
Asa Farwell et al

On motion of Mr. J. M. Carlisle in behalf of

Mr. Gantt, it is ordered that leave be granted the clerk to issue the mandate in this case.

The Steamship "R. L. Maybey."		These cases
John Caldwell Executor et al.		argued
173. vs.	Appellants	by Mr. C.
Joshua Atkins et al		Donaldson
and		of counsel
The Ship "Helen R. Cotton" vs.		for the
Union Navigation Co. Claimants.		appellants,
174. vs.	Appellants	and by
Joshua Atkins et al.		Mr. R. J.
		Brodnax

of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday, April 26th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bristow, it is ordered that William D. Todd, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

74.	Hall's Heirs and Blanchard et al vs. John A. Allen, Assignee of William Downing, bankrupt.	On motion of Mr. F. A. Dicke in behalf of Mr. Whitcraft, it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

627.	The United States vs. The Steam Ferry Boat "Nuestra Senora de Regla" &c.	The motion to dismiss this cause was submitted on printed arguments by Mr. C. Donohue in favor of the motion, and by Mr. Assistant Attorney General Hill in opposition thereto; Whereupon this Court not being now sufficiently advised of, and concerning what order to render, in the premises took time to consider.

---

57. Jacob H. Overcraft, vs. Plaintiff in Error, Walter S. Cowen Adm. | The motion to dismiss this cause was submitted on printed arguments by Mr. R. D. Benedict in support of the same, and by Messrs. Carlisle and McPherson in opposition thereto — Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises took time to consider. Leave granted Carlisle & McPherson to file additional argument on the 2nd inst.

---

11. Ex parte, The United States original — Petitioners | The return to the rule on the Judges of the Court of Claims to show cause why a writ of Mandamus should not issue &c., was argued by Mr. Assistant Attorney General Hill and Mr. Assistant Attorney General McMichael in favor of the same, and by Mr. H.

Penn Charles in opposition thereto,
Whereupon this court not being now
here sufficiently advised of, and
concerning what order to render, in
the premises took time to consider.

The Phenix Insurance Company
-vs.
Charles Kramerath

1149.

Plaintiff in Error,

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the motion of Mr. P. Phillips in behalf of counsel for the respective parties and stipulation on file. It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed without costs.

Per Mr. Chief Justice Chase.

632. H. K. Hall et al. vs. Plaintiffs in Error
William Jordan

The motion of Mr. F. P. Stanton to dismiss this cause was on motion of Mr. Reverdy Johnson, continued to the adjourned term.

---

616. Ed. Jones, Robert H. Mitchell, Appellants

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard, on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. Reverdy Johnson of counsel for the appellants, it is now here ordered, adjudged, and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

---

617. Ex parte, P. Jefferson Gues, Appellant | Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. Remedy Johnson of counsel for the appellant, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

618. Ex parte, John Seyle, Appellant | Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of South Carolina, and on the motion of Mr. Reverdy Johnson of counsel for the appellant, it is now here ordered, adjudged, and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Chase.

George P. Scriven by George W. Ellwine his next friend & guardian
vs. Appellant
Percival P. Oldershaw et al.

On motion of Mr. R. T. Merrick, it is ordered by the Court, that the time for filing the transcript of the record in this case be, and the same is hereby extended to the 28th day of October next.

Proclamation being made the Court is adjourned until Monday morning the sixth day of May next at Eleven o'clock.

Monday. May. 6th 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons, Esquire, Marshal

Daniel Ewing Middleton, Clerk.

Proclamation being made the Court is opened.

James S. Easley, William H. Hillingham	Appeal from the Circuit Court
157. v. Appellants	of the United
John H. Kellom Harrison Johnson, James G. Chapman & George Vail.	States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

139.	Reuben S. Carpentier, vs. Plaintiff in Error J. Montgomery, F. L. A. Pioche, William H. Hancock, T. Finall et al	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

151.	James Bigler. vs. Appellant William Walker & Robert Saunders.	Appeal from the Circuit Court of the United States for the District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to proceed to an amended decree, in accordance with the opinion of this court.

Per Mr. Justice Strong.

169.	The Republic Fire Insurance Company. vs. Plaintiff in Error Charles and Joseph R. Heide.	In Error to the Circuit Court of the United States for the

District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Strong.

The Hanover Fire Insurance Company. vs. Charles & Joseph K. Shide. | In Error to the Circuit Court of the United States for the District of Minnesota.

1/0.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Strong.

The Germania Fire Insurance Company. Plaintiff in Error, vs. Charles and Josiah R. Wade. | In Error to the Circuit Court of the United States for the District of Minnesota.

171.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now

here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Strong.

1871. The Niagara Fire Insurance Company, vs. Plaintiff in Error, Charles Joseph K. Heide. | In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same

rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Strong.

59. Ira G. Francis vs. Thomas Edwards, H. L. Carothers, Samuel Eustis, Antoniades Silva, David Hoard, Samuel O'Hess, Leonard Hoyt, Jefferson Sale, H. W. Crouse, L. M. Sinclair, Andrew Carothers & R. Sherburne. | In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby

reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Field.

Dissenting:
Mr. Justice Miller

No. 110. The Steamer "Palapsco" her tackle &c. James A. Borland, Claimant vs. James Boyce. Appellant

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the

same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Justice Davis.

	Allen J. Caperton	In Error to the
166	-vs- Plaintiff in Error	Supreme Court of
	William A. Ballard	Appeals of the
	Administrator of Wm	State of West
	Ballard, deceased.	Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Davis.

	Edward Shipton Paige Clara M. Paige and Samuel H. Jackson, Executors of Alonzo C. Paige, deceased	Appeal from the Circuit Court of the United States for the Southern District of New York.
16	vs. Appellants.	
	David Banks, jr. Charles Banks & A. Hecker Banks.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Daniel.

	Jacob Hoover et al	Appeal from the Circuit Court of the United States for the Districts
158	vs. Appellants	
	Ann Payne et al.	
	of Missouri.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause as to Ann Payne, Susan Curtis, and Mary Grimm be, and the same is hereby affirmed. And so much as relates to the other parties be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the cause as to them without prejudice. Each party paying their own costs in this Court.

Per Mr. Justice Miller.

---

571. Jacob H. Estabrook and Arthur Leary, Plaintiffs in Error, vs. Walter S. Rose, and James F. Joyce | In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and on the motion of Mr. Benedict of counsel for the defendants in error, to dismiss, which was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Miller.

---

31 Henry J. Holmes & Rebecca B. Holmes his wife vs. Ambrose H. Sevier as administrator of the estate of John A. Jordan deceased & Charles M. Taylor etal

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

Monday, May 6th 1872. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this court.

per Mr. Justice Swayne.

---

132. The Home Insurance Company of the City of New York. vs. Elias R. Fenton.

In Error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Per Mr. Justice Swayne.

Ex parte, May Summerhall, Petitioner. | On consideration of the petition filed by Mr. O. McMahon for a writ of Mandamus in this cause, and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said petition be, and the same is hereby denied. And that the

rule to show cause heretofore issued in this cause, be, and the same is hereby discharged.

Per Mr. Justice Clifford.

---

163. William Creery, William Creery, Theodore Dickerson, and Charles Fox, as Creery, Dickerson and Company, and David McCord, vs. The Eclipse Towboat Company.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per

amounts that decrees bear in the courts of the State of Louisiana.

Per Mr. Justice Clifford.

The Steamtug "R. S. Mabey" &c. John Corwin, Executor, & Rachel Corwin Executrix &c.
1st/3. vs. Appellants
Joshua Atkins & Edwin Atkins, owners of the Ship "Isaac F. Chapman."

and

The Ship "Helen R. Cooper" her tackle &c. The Union Navigation Company, Claimants.
1st/4. vs. Appellants
Joshua Atkins & Edward Atkins.

Appeals from the Circuit Court of the United States for the Eastern District of New York.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and were argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the

decree of the said Circuit Court in these causes be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of New York.

Per Mr. Justice Clifford.

---

165. A. J. Caperton vs. Plff. in Error. Philip Bowyer. | In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Clifford.

---

204 The United States vs. Appellants George A. Miller | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

207 The United States vs. Appellants Charles H. Manning | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is

Thereby affirmed.

Per Mr. Justice Clifford.

208. The United States vs. Appellants / Thomas A. Fitzpatrick | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

209. The United States vs. Appellants / George H. Hall | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

210. The United States, Appellants vs. John Schell. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

211. The United States, Appellants vs. Thomas E. Sytle. | Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

The United States
vs. Appellants
Charles F. Holbrook. | Appeal from the Court of Claims.

212.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

210. The United States vs. Appellants / John Bohn. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

211. The United States vs. Appellants / Thomas E. Sytle. | Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

212.	The United States vs Appellants / Charles F. Holbrook	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

213. The United States, Appellants v. Lorenzo De La Reid | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

214. The United States, Appellants v. John S. Richards | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

215. The United States vs. Appellants / William A. Kennard. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

---

133. Benoni E. Gardner vs. Appellant / The Corrugated Dental Vulcanite Company vs. Josiah Bacon. | Appeal from the Circuit Court of the United States for the District of Rhode Island.

The judgment of the Circuit Court for the District of Rhode Island, is affirmed. The opinions of the Court and the dissenting opinion will be read at the adjourned term.

Per Mr. Chief Justice Chase.

	Jerome E. Gardner	Appeal from the
133.	vs.	Circuit Court
	Appellant	of the United
	The Georgia Dental	States for the
	Vulcanite Company	District of Rhode
	and Josiah Facon.	Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Rhode Island.

Per Mr. Chief Justice Chase.

	Edward Pugh	Appeal from the
116.	vs.	Court of Claims.
	Appellant	
	The United States	

This cause came on to be heard on

the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Chief Justice Chase.

The Northwestern Union Packet Company.
vs. Plaintiff in Error
The Home Insurance Company of New York

167. Ordered, by the Court that the judgment of dismissal entered in this cause on the 29th of January last, be, and the same is hereby rescinded and annulled. And that this cause, be, and the same is hereby reinstated, upon the docket.

It is further ordered that a writ of certiorari be awarded as prayed.

No copy of the writ of error, as prayed by the Chief Justice of Iowa having been filed within ten days for this

adverse party, as required by the Statute. That writ cannot operate as a supersedeas.

Per Mr. Chief Justice Chase.

The United States vs. Appellants The Steamferry boat "Ferry Senora de Regla".

Ordered by the Court that the motion to dismiss this cause be argued with the merits.

Ex parte, In the matter of the United States Original Petitioners

Petition for Mandamus to the Judges of the Court of Claims.

This cause came on to be heard on the petition and returns to rule, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that a peremptory writ of mandamus issue from this court directed to the Judges of the Court of Claims, requiring and commanding them to hear and decide certain motions for a new trial and to stay payment of judgment in the case of

John H. Russell - petitioner, vs. The United States - Returnable on the 28th day of October A. D. 1872.

Per Mr. Chief Justice Chase.

---

(52) James Kenig and Warren C. Gillette vs. J. F. Edwards, M. S. Mugill, J. S. Patterson, C. Williams, Wm. Douglass, John Harberson, L. B. Mount, F. Mount, J. M. Cook, Jno. Doe and Richard Roe.

Mr. L. Trumbull of counsel for the defendants in error, having filed and read in open court the following certificate, to wit:

"In the Supreme Court of Montana Territory.

James Kenig and Warren C. Gillette. vs. Plaintiffs.
J. F. Edwards, M. S. Mugill, J. S. Patterson, C. Williams, Wm. Douglass, John Harberson, L. B. Mount, F. Mount, J. M. Cook, Jno. Doe & Richard Roe.

I, J. R. Alden, Clerk of the Supreme Court of Montana Territory, do hereby certify that James King and Warren C. Gillette, plaintiffs in the above entitled cause did perfect their appeal of said cause from the judgment rendered therein, in the Supreme Court of said Territory, to the Supreme Court of the United States, on the 19th day of October A. D. 1871 by filing in the office of the undersigned Clerk, their writ of error, citation duly served, and undertaking on appeal; and that no transcript or certified copy of the record of proceedings in said cause has been made or ordered.

In testimony whereof, I have hereunto set my hand and affixed the Seal of said Supreme Court at Virginia City in said Territory, this 20th day of April A. D. 1872.

Seal

J. R. Alden
Clerk."

and having stated that the plaintiffs

had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Supreme Court of Montana Territory, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice, the said writ of error notwithstanding.

Per Mr. Chief Justice Chase.

Susan A. White and Benjamin A. White heirs & representatives of Samuel A. White, deceased.

653. vs. Plaintiffs in Error.

Francis A. Burnley and Robert H. Crittenden as Executors of A. F. Burnley, deceased, & Royal A. Peden.

Mr. C. Robinson of counsel for the defendants in error having filed a transcript of the record of this cause duly certified by the Clerk, under the seal of the Circuit Court of the United States for the Eastern District of Texas, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the court in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed— On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Circuit Court of the United States for the Eastern District of Texas, be, and the same is hereby docketed and dismissed with costs—

And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr. Chief Justice Chase.

Order of Court

Ordered by the Court, that the Clerk be authorized to issue the mandates in all cases decided at the present term of this Court, to this date.

Order of Court.

Ordered that the 6th. Rule of this Court be amended so as to read as follows:

All motions to dismiss appeals and writs of error, except motions to docket and dismiss under the ninth rule, must be submitted in the first instance on printed briefs or arguments. If the Court desires further argument on that subject it will be ordered in

connection with the hearing on the merits. The party moving to dismiss shall serve notice of the motion, with a copy of his brief or argument, on the counsel for plaintiff in error, or appellant of record in this Court, at least three weeks before the time fixed for submitting the motion, in all cases except where the counsel to be notified resides west of the Rocky Mountains, in which case the notice shall be at least thirty days.

Affidavit of the deposit in the mail of the notice and brief to the proper address of the counsel to be served, duly post-paid, at such time as to reach him by due course of mail, the three weeks or thirty days before the time fixed by the notice will be regarded as prima facie evidence of service on counsel who reside without the District of Columbia. On proof of such service, the motion will be considered unless for satisfactory reasons further time be given by the Court to either party.

Order of Court.

Ordered, that the amendments and additions to the Rules in Admiralty, and to the Rules in Bankruptcy, now filed in the office of the Clerk, be, and the same are hereby adopted. And the Court directs that the same be printed and distributed by the Clerk.

Amendments and Additions to the Rules in Admiralty.

Ordered, that the 5th rule in admiralty be amended so as to read as follows, viz: —

Bonds or stipulations in admiralty suits may be given and taken in open Court, or at Chambers, or before any commissioner of the Court who is authorized by the Court to take affidavits of bail and depositions in causes pending before the Court, or any Commissioner of the United States authorized by law to take

bail and affidavits in civil cases.

Ordered, that the 12th rule in admiralty be amended so as to read as follows:

In all suits by material men for supplies or repairs or other necessaries, the libellant may proceed against the ship and freight in rem, or against the master or owner alone in personam.

Ordered, that the 35th rule in admiralty be abolished and the following substituted in its stead, viz:

The stipulations required by the last preceding rule, or on appeal or in any other admiralty or maritime proceeding shall be given and taken in the manner prescribed by rule fifth as amended.

Ordered; that the 115th rule in admiralty be amended so as to read as follows, viz:-

All appeals from the district to the circuit court must be made while the court is sitting, or within such other period as shall be designated by the district court by its general rules, or by an order specially made in the particular suit, or in case no such rule or order be made, then within thirty days from the rendering of the decree.

Supplementary Rules of Practice in admiralty, under the act of March 3d 1851, entitled "An Act to limit the liability of ship owners, and for other purposes."

54. When any ship or vessel shall be libelled or the owner or owners thereof shall be sued for any embezzlements, loss, or destruction by the master, officers, mariners passengers, or any

other person or persons, of any property, goods, or merchandise, shipped or put on board of such ship or vessel, or for any loss, damage, or injury by collision, or for any act, matter, or thing, loss, damages, or forfeiture done, occasioned, or incurred without the privity or knowledge of such owner or owners, and he or they shall desire to claim the benefit of limitation of liability provided for in the third, and fourth sections of the said act above recited, the said owner or owners shall and may file a libel or petition in the proper district court of the United States, as hereinafter specified, setting forth the facts and circumstances on which such limitation of liability is claimed, and praying proper relief in that behalf; and thereupon said Court, having caused due appraisement to be had of the amount or value of the interest of said owner or owners, respectively, in such ship or vessel, and her freight for the

voyage, shall make an order for the payment of the same into court, or for the giving of a stipulation with sureties for payment thereof into court whenever the same shall be ordered; or, if the said owner or owners shall so elect, the said court shall, without such appraisement make an order for the transfer by him or them of his or their interest in such vessel and freight, to a trustee to be appointed by the court under the fourth section of said act; and upon compliance with such order, the said court shall issue a monition against all persons claiming damages for any such embezzlement, loss, destruction, damage, or injury, citing them to appear before the said court and make due proof of their respective claims at or before a certain time to be named in said writ, not less than three months from the issuing of the same; and public notice of such monition shall be given as in

other cases, and such further notice served through the post office, or otherwise, as the court, in its discretion, may direct; and the said court shall, also, on the application of the said owner or owners, make an order to restrain the further prosecution of all and any suit or suits against said owner or owners in respect of any such claim or claims.

53. Proof of all claims which shall be presented in pursuance of said monition, shall be made before a commissioner to be designated by the court, subject to the right of any person interested, to question or controvert the same; and, upon the completion of said proofs, the commissioner shall make report of the claims so proven, and upon confirmation of said report, after hearing any exceptions thereto, the moneys paid or secured to be paid into court as aforesaid, or the proceeds of said ship or vessel

and freight (after payment of costs and expenses), shall be divided pro rata amongst the several claimants in proportion to the amount of their respective claims, duly proved and confirmed as aforesaid, saving however, to all parties any priority to which they may be legally entitled.

56. In the proceedings aforesaid, the said owner or owners shall be at liberty to contest his or their liability, or the liability of said ship or vessel for said embezzlement, loss, destruction, damage, or injury (irrespectively of the limitation of liability claimed under said act), provided that in his or their libel or petition, he or they shall state the facts and circumstances by reason of which exemption from liability is claimed; and any person or persons claiming damages as aforesaid, and who shall have presented his or their claims to the commissioner under oath, shall and may answer

such libel or petition, and contest the right of the owner or owners of said ship or vessel, either to an exemption from liability, or to a limitation of liability under said act of Congress, or both.

5th. The said libel or petition shall be filed and the said proceedings had in any district court of the United States in which said ship or vessel may be libelled to answer for any such embezzlement, loss, destruction, damage, or injury; or, if the said ship or vessel be not libelled, then in the district court for any district in which the said owner or owners may be sued in that behalf. If the ship have already been libelled and sold, the proceeds shall represent the same for the purposes of these rules.

Amendments and Additions to General Orders in Bankruptcy.

1.

Duties of Clerks of District Courts.

The clerks of the several district courts shall enter upon each petition in bankruptcy the day, and the hours of the day, upon which the same shall be filed; and shall also make a similar note upon every subsequent paper filed with them, except such papers as have been filed before the register, and so indorsed by him; and the papers in each case shall be kept in a file by themselves. No paper shall be taken from the files for any purpose except by order of the court. Every paper shall have endorsed upon it a brief statement of its character. The clerks shall keep a docket, in which the cases shall be entered and numbered in the order in which they are commenced; and the number of ~~each~~ case shall be

indorsed on every paper. The docket shall be so arranged that a brief memorandum of every proceeding in each case shall be entered therein, in a manner convenient for reference, and shall at all times be open for public inspection. The clerks shall also keep separate minute-books for the record of proceedings in bankruptcy, in which shall be entered a minute of all the proceedings in each case, either of the court or of a register of the court, under their respective dates.

7.

Examination and Filing of Papers.

It shall be the duty of the register to examine the bankrupt's petition and schedules filed therewith, and to certify whether the same are correct in form; or, if deficient, in what respect they are so; and the court may allow amendments to be made in the petition and schedule

upon the application of the petitioner, upon proper cause shown, at any time prior to the discharge of the bankrupt. The register shall indorse upon each paper filed with him the time of filing, and at the close of the last examination of the bankrupt, the register having charge of the case shall file all the papers relating thereto in the office of the clerk of district court, and these papers, together with those on file in the clerk's office, and the entries in the minute-books, shall constitute the record in each case; and the clerk shall cause the papers in each case to be bound together.

13.

Marshal as Messenger.

It shall be the duty of the marshal as messenger, to take possession of the property of the bankrupt, and to prepare, within three days from the time of taking

such possession, a complete inventory of all the property; and to return it as soon as completed. The day of filing the petition and the value of the assets as appearing in schedules A & B shall be stated. The time for making the inventory and return may be enlarged, under proper circumstances, by special order of the district court. (Provided, however, That if any goods or effects so taken into possession as the property of the bankrupt shall be claimed by or in behalf of any other person, the marshal shall forthwith notify the petitioning creditor of such claim, and may, within five days after so giving notice of such claim, deliver them to the claimant or his agent, unless the petitioning creditor or party at whose instance possession is taken shall, by bond with sufficient sureties, to be approved by the marshal, indemnify the marshal for the taking and detention of such

goods and effects, and the expenses of defending against all claims thereto; and, in case of such indemnity, the marshal shall retain possession of such goods and effects, and proceed in relation thereto, as if no such claim had been made: And provided further, That in case the petitioning creditor claims that any property not in the possession of the bankrupt belongs to him, and should be taken by the marshal, the marshal shall not be bound take possession of the same, unless indemnified in like manner.) He shall also, in case the bankrupt is absent or cannot be found, prepare a schedule of the names and residences of his creditors, and the amount due to each, from the books or other papers of the bankrupt that may be seized by him under his warrant, and from any other sources of information; but all statements upon which his return shall be made

shall be in writing, and sworn to by the parties making them, before one of the registers in bankruptcy of the court, or a commissioner of the courts of the United States. In cases of voluntary bankruptcy, the marshal may appoint special deputies to act, as he may designate, in one or more cases, as messengers, for the purpose of causing the notices to be published and served as required in the eleventh section of the act, and for no other purpose. In giving the notices required by the third subdivision of the eleventh section of the act, it shall be sufficient to give the names, residences, and the amounts of the debts (in figures) due the several creditors, as far as known, and no more.

19.

Duties of Assignees.

The assignee shall, immediately on entering upon his duties, prepare

a complete inventory of all the property of the bankrupt that comes into his possession; and all sales of the same shall be by public auction, unless otherwise ordered by the court. Every assignee shall keep full, exact, and regular books of account of all receipts, payments, and expenditures of money by him, and shall make report to the court within twenty days after receiving the deed of assignment, of the articles set off to the bankrupt by him, according to the provisions of the fourteenth section of the act, with the estimated value of each article, and any creditor may take exceptions to the determination of the assignee within twenty days after the filing of the report. The register may require the exceptions to be argued before him, and shall certify them to the court for final determination at the request of either party. At the expiration of three months

from the date of the adjudication of bankruptcy, the assignee shall file with the register a report, which shall exhibit just and true accounts of all his receipts and payments, verified by his oath; and he shall also file at the same time a statement of the whole estate of the bankrupt as then ascertained, of the property recovered and of the property outstanding, specifying the cause of its being outstanding, and also what debts or claims are yet undetermined. The register may, if he shall judge it expedient, order that the second general meeting of creditors be called. Similar reports and statements shall be made, and similar proceedings had thereon, at the expiration of each successive period of three months. The substance of each monthly return of the assignee shall be sent by the register to any creditor who shall request it and pay the fee provided for notices to creditors.

In case the assignee shall neglect to file any report or statement which it is made his duty to file or make by the bankrupt act, or any general order in bankruptcy, within five days after the same shall be due, it shall be the duty of the register to make an order requiring the assignee to show cause before the court, at a time specified in the order, why he should not be removed from office. The register shall cause a copy of the order to be served upon the assignee at least seven days before the time fixed for the hearing, and proof of the service thereof to be delivered to the clerk.

21.

Disposal of Property by Assignee.

In making sales of personal property the assignee shall give at least ten days' notice of the time and place of the sale, and of the articles to be sold, by advertisement

in one or more newspapers, to be designated by the court or by a register, and by posted handbills or otherwise, as he may think best for the interest of the estate, or as the court may order, and he shall give like notice of the sale of any real estate at least twenty days before such sale. Upon his application to the court, and for good cause shown, the assignee may be authorized to sell any specified portion of the bankrupt's estate at private sale; in which case he shall keep an accurate account of each article sold, and the price received therefor, and to whom sold; which account he shall file with his report, at the first meeting of creditors after the sale. The court, by order in special cases, may dispense with newspaper and handbill advertisements. In making sale of the franchise of a corporation, it may be offered in fractional parts or in certain

numbers of shares, corresponding to the number of shares in the bankrupt corporation. And in making the sale of the real estate of a bankrupt, the assignee shall, unless otherwise ordered by the court, offer the same in lots or parcels, if it exists in separate parcels, in such manner as may be for the interest of the creditors of the estate.

28.

Deposit and Payment of Money.

The district court in each district shall designate certain national banks, if there are any within the judicial district, or if there are none, then some other safe depository, in which all money received by assignees or paid into court in the course of any proceedings in bankruptcy shall be deposited; and every assignee and the clerk of said court shall deposit all sums received by them, severally, on account

of any bankrupts estate, in one designated depository; and every clerk shall make a report to the court of the funds received by him, and of deposits made by him, on the first Monday of every month. On the first day of each month the assignee shall file a report with the register, stating whether any collections, deposits, or payments have been made by him during the preceding month, and if any, he shall state the gross amount of each. The register shall enter such reports upon a book to be kept by him for that purpose, in which a separate account shall be kept with each estate; and he shall also enter therein the amount, the date, and the expressed purpose of each check countersigned by him.

No moneys so deposited shall be drawn from such depository unless upon a check, or warrant, signed by the clerk of the court, or by an

assignees, and countersigned by the judge of the court, or one of the registers designated for that purpose, stating the date, the sum, and the account for which it is drawn; and an entry of the substance of such check or warrant, with the date thereof, the sum drawn for, and the account for which it is drawn, shall be forthwith made in a book kept for that purpose by the assignee or clerk; and all checks and drafts shall be entered in the order of time in which they are drawn, and shall be numbered in the case of each estate. A copy of this rule shall be furnished to the depository so designated, and also, the name of any register authorized to countersign said checks.

29.

Prepayment or Security of Fees.

The fees of the register, marshal, and clerk shall be paid or secured

of any bankrupt's estate, in one designated depository; and every clerk shall make a report to the court of the funds received by him, and of deposits made by him, on the first Monday of every month. On the first day of each month the assignee shall file a report with the register, stating whether any collections, deposits, or payments have been made by him during the preceding month, and if any, he shall state the gross amounts of each. The register shall enter such reports upon a book to be kept by him for that purpose, in which a separate account shall be kept with each estate; and he shall also enter therein the amount, the date, and the expressed purpose of each check countersigned by him.

No moneys so deposited shall be drawn from such depository unless upon a check, or warrant, signed by the clerk of the court, or by an

assignee, and countersigned by the judge of the court, or one of the registers designated for that purpose, stating the date, the sum, and the account for which it is drawn; and an entry of the substance of such check or warrant, with the date thereof, the sum drawn for, and the account for which it is drawn, shall be forthwith made in a book kept for that purpose by the assignee or clerk; and all checks and drafts shall be entered in the order of time in which they are drawn, and shall be numbered in the case of each estate. A copy of this rule shall be furnished to the depository so designated, and also, the name of any register authorized to countersign said checks.

99.

Prepayment or Security of Fees.

The fees of the register, marshal, and clerks shall be paid or secured

in all cases before they shall be compelled to perform the duties required of them by the parties requiring such services; and in the case of witnesses their fees shall be tendered or paid at the time of the service of the summons or subpoena, and shall include their traveling expenses to and from the place at which they may be summoned to attend. The court may order the whole, or such portion of the fees and costs in each case to be paid out of the funds in court in such cases as shall seem just.

The funds deposited with the register, marshal, and clerks shall, in all cases where they come out of the bankrupt's estate, be considered as a part of such estate, and the assignee shall be charged therewith, and shall not be allowed for any disbursements therefrom, except upon the production of proper vouchers from such officers, respectively, given after the due al-

learned of their respective bills.

30.

As to Fees and Costs

In addition to the fees expressly allowed by the bankrupt act, there shall be allowed the following: To the clerks: For every copy of any papers in proceedings in bankruptcy, twenty-five cents for certifying the same, and ten cents in addition for each folio of one hundred words. For each notice required to be sent by mail, when signed by the clerk, ten cents; to be prepaid by the party required to give the notice.

To the registers: Affidavits to any petition, schedule, or other proceedings in bankruptcy, except proof of debt by a creditor or his agent, for each oath and certifying the same, twenty-five cents.

For examining petition and schedules and certifying to their correctness, three dollars.

For notification to assignee of his appointment, fifty cents. For assignment of bankrupt's effects, one dollar. For order to assignee directing publication of his appointment, fifty cents. For order for examination of the bankrupt or his wife, one dollar. Summons or subpoena for witness, twenty five cents. For taking examination of bankrupt or his wife, or any witness, under section twenty-six, and for each examination in proof of debt, under section twenty-two, twenty cents for each folio, and one dollar for each hour actually engaged; and for certifying each affidavit or deposition in proof of debt as satisfactory, twenty-five cents.

The fees paid by creditors for establishing their debts as above, shall be entitled to priority of payment under section twenty-eight.

For computation of dividends, five dollars, and ten cents for each creditor to whom a dividend is

declared. For any certificate of question to the district court or judge, under the fourth and fifth sections of the act, one dollar, which may be increased in any case by order of the judge.

When the proceedings are not conducted in the usual office of the register, the travelling and incidental expenses of the register, and of any clerk or other officer attending him, shall be allowed, and five dollars for each day employed in going, attending, and returning, and such expenses and fees shall be apportioned among the cases as provided in section five.

No other allowance shall be made for clerk hire.

For each notice which the register may be required to send to creditors, fifteen cents, which shall include postage and stationery.

For each memorandum sent by the register to the clerk, ten cents

for each folio, and fifteen cents for the certificate.

No fees shall be allowed to the register except those hereinbefore enumerated.

The fifty dollars deposited, under rule forty-seven, with the clerk for the register, shall be delivered by the clerk to the register to whom the case is referred.

Ten days before the day fixed for the consideration of the assignee's final account, or at any other time fixed by the court on its own motion, or on the application of any person interested, the clerk, marshal, and register, shall file with a master commissioner of the court, or some other fit person who shall be appointed by the court for that purpose as a standing auditor, a statement of fees, including prospective fees for final distribution, which shall exhibit, by items, each service and the fee charged for it, and the amount received. Said auditor

shall tax each fee-bill, allowing none but such as are provided for the statute or by these rules, which taxation shall be conclusive, reserving to the party interested exceptions to the report, which shall be decided by the court.

The reasonable compensation of the master, or auditor, for taxing these fee-bills, not exceeding ten dollars in any one case of bankruptcy, shall be paid out of any funds in the hands of the assignee, and if there be no such funds, by the clerk, marshal, and register, in proportion to the amount of their bills so taxed and allowed.

Any money received by either of the officers mentioned in excess of lawful fees or compensation, shall be ordered by the judge to be paid into court, and such order may be enforced, if necessary, by attachment as for contempt.

No bankrupt's discharge shall be refused or delayed by reason

of the non-payment of any fees except the fee for his certificate of discharge.

34.

Proof of Debts.

Depositions to prove claims against a bankrupt's estate shall be correctly entitled in the court and in the cause. When made to prove a debt due to a co-partnership, it must appear on oath that the deponent is a member of the creditor firm; when made by an agent, the reason the deposition is not made by the claimant in person must be stated; and when made to prove a debt due to a corporation, and the corporation has no such officer as cashier or treasurer, the deposition may be made by the officer whose duties most nearly correspond to those of cashier or treasurer. Depositions to prove debts existing in open account shall state when the debt became or will become due; and if it consists of items maturing at different dates

the average due date shall be stated, in default of which it shall not be necessary to compute interest upon it. All such depositions shall contain an averment that no note has been received for such account nor any judgment rendered thereon. Proof of debt received by any assignee shall be delivered to the register to whom the cause is referred. The register may decline to file any deposition until the fee for filing the same is paid. When a proof of debt is sent by mail to the register, and it shall be accompanied by the fee for filing it, and the fee for sending a notice to a creditor, the register shall acknowledge the receipt of it, and state the amount at which he has entered it, and if it shall be insufficient or unsatisfactory to the register, he shall state the reasons.

Any creditor may file with the register a request that all notices

to which he may be entitled shall be addressed to him at any place, to be designated by the post-office box or street number, as he may appoint, and thereafter, and until some other designation shall be made by such creditor all notices shall be so addressed; and in other cases notices shall be addressed as specified in the proof of debt.

Claims which have been assigned before proof, shall be supported by a deposition of the owner, at the time of the commencement of proceedings, setting forth the true consideration of the debt, and that it is entirely unsecured, or if secured, such deposition shall set forth the security, as is required in proving secured claims.

Upon filing with the register satisfactory proof of the assignment of a claim proved and entered on the register's docket, the register shall immediately give notice by mail, to the original claimant, of the filing of such proof of assignment.

And if no objection be entered within ten days, he shall make an order subrogating the assignee to the original claimant.

If no objection be made within the time specified, or within such further time as may be granted for that purpose, the register shall certify the objection into court for determination. The claims of persons contingently liable for the bankrupt, may be proved in the name of the creditor, when known by the party contingently liable.

When the name of the creditor is unknown, such claims may be proved in the name of the party contingently liable; but no dividend shall be paid upon such claims, except upon satisfactory proof that it will diminish, pro tanto, the original debt. The execution of any letter of attorney to represent a creditor, or of an assignment of

claims after proof, or of the consent of a creditor to a bankrupt's discharge may be proved or acknowledged before a register in bankruptcy, or a United States Circuit Court Commissioner.

When executed on behalf of a co-partnership, or of a corporation, the person executing the instrument shall make oath that he is a member of the firm, or duly authorized officer of the corporation, on whose behalf he acts.

When the party executing is not personally known to the officer taking the proof or acknowledgement, his identity shall be established by satisfactory proof.

When the assignee or any creditor shall desire the re-examination of any claim filed against the bankrupt's estate, he may apply by petition to the register to whom the cause is referred, for an order for such re-examination, and thereupon the register shall make an order fixing a time for hearing

the petition, of which due notice shall be given by mail, addressed to the creditor.

At the time appointed, the register shall take the examination of the creditor, and of any witnesses that may be called by either party; and if it shall appear from such examination that the claim ought to be expunged or diminished, the register, if no objection be made, may order accordingly.

If objection be made, the register shall require the parties there, or within a time to be fixed for that purpose, to form an issue to be notified into court for determination.

If the petitioner is in default in making up said issue, the petition shall be dismissed; if the creditor whose claim is re-examined is in default in making said issue, the claim

may be diminished or expunged by the registar.

All orders thus made by the registar may be reviewed by the Court on special petition, and upon showing satisfactory cause for such review.

Proclamation being made the Court is adjourned until Monday morning the 28th day of October next at Eleven o'clock.

Monday October 28. 1872

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Tuttle Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr George H. Pascoe it is ordered that Rodney Mason Esquire of Washington City District of Columbia, and Charles H. Smith Esquire of New York City be admitted to practice as attorneys Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr Assistant Attorney General Hill it is ordered that John Sathrop Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Thomas J. Durant, it is ordered that Thomas J. Semmes, and J. Emilien Trudeau Esquires of New Orleans State of Louisiana, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

1839. Joseph H. Maddox Appellant vs. The United States. | Mr Hughes of counsel for the appellant with the consent of Mr Assistant Attorney General Hill of counsel for the appellees, moved

the Court to continue this cause to the next term. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider.

---

239. The United States vs Appellants. Maximiliano A. Dauphin. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hill of counsel for the appellants, it is now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

Per Mr Chief Justice Chase.

On motion first made & the Court on this behalf by Mr Assistant Attorney General Hill, it is ordered that John Sathrop Esquire of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made & the Court on this behalf by Mr Thomas J. Durant, it is ordered that Thomas J. Semmes, and J. Emilie Trudeau Esquires of New Orleans State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

179.	Joseph H. Maddox Appellant vs. The United States.	Mr Hughes of counsel for the appellant with the consent of Mr Assistant Attorney General Hill of counsel for the Appellee, moved

the Court to continue this cause to the next term. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider.

---

939. The United States as Appellants. vs Maximiliano A. Dauphin. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hill of counsel for the appellants, it is now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

Per Mr Chief Justice Chase.

210.	The United States vs. Richard D. Tyers. Appellants	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion of Mr. Assistant Attorney General Hill of counsel for the appellants, it is now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Chase.

261.	The United States. vs. Appellants. Andrew J. Fleming for the use of the First National Bank of Parkersburg, West Va.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the

motion of Mr Assistant Attorney General Hill of counsel for the appellants, it is ordered and adjudged by this court, that this cause be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

The United States
262. vs Appellants
Edward N. Wilcox, for the use of the Vicksburg branch of the Northwestern Bank of Virginia.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion of Mr Assistant Attorney General Hill, of counsel for the appellants it is now here ordered and adjudged by this court that this cause be, & the same is hereby dismissed.

per Mr Chief Justice Chase.

245. The United States Plaintiffs vs James L. Porter. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Western District of Tennessee, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr Assist. ant Attorney General Hill of Counsel for the plaintiffs, it is now here ordered and adjudged by this court, that this cause, be and the same is hereby dismissed. Whereupon it is now here ordered

and adjudged by this court that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

---

946. The United States. vs Plaintiffs James D. Porter. | In a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr Assistant Attorney General

Hill, of counsel for the plaintiffs it is now here ordered & adjudged by this Court, that this cause, be, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this court, that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase.

The United States. vs Plaintiffs. W. S. Scall

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified

to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr Assistant Attorney General Hill, it is now here ordered and adjudged by this Court, that this cause, &c, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr Chief Justice Chase.

The United States. On a certificate
vs. Plaintiffs. of division
James M. Dearman in opinion
between the
Judges of the Circuit Court of the United States for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Western District of Tennessee, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Assistant Attorney General Hill of Counsel for the plaintiffs it is now here ordered and adjudged by this Court that this cause, be, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase.

The United States vs Plaintiffs / Joseph H Hamilton. | On a certificate of division in opinion between the Judges of the Court of the United States, for

219

the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Assistant Attorney General Hill of Counsel for the plaintiffs, it is now here ordered and adjudged by this court that this cause be, and the same is hereby dismissed. Whereupon it is now here ordered & adjudged by this court, that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

States for the Western District of Tennessee, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Assistant Attorney General Hill of counsel for the plaintiffs it is now here ordered and adjudged by this Court that this cause, be, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr Chief Justice Chase.

The United States vs Plaintiffs
Joseph H Hamilton.

On a certificate of division in opinion between the Judges of the Court of the United States, for

the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr Assistant Attorney General Hill of counsel for the plaintiffs, it is now here ordered and adjudged by this court that this cause be, and the same is hereby dismissed. Whereupon it is now here ordered & adjudged by this court, that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

States for the Western District of Tennessee, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Assistant Attorney General Hill of Counsel for the plaintiffs it is now here ordered and adjudged by this Court that this cause, be, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase.

No 119 The United States vs Plaintiffs Joseph H Hamilton. | On a certificate of division in opinion between the Judges of the Court of the United States, for

the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Assistant Attorney General Hill of counsel for the plaintiffs, it is now here ordered and adjudged by this court that this cause be, and the same is hereby dismissed. Whereupon it is now here ordered & adjudged by this court, that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

556. Alexander Hardy et al. vs. James Harbin et al. Appellants. | Mr E. L. Stanton on behalf of Mr Chipman suggested a diminution of the record, and filed motion for certiorari in this cause which motion was assigned for argument on Friday next the first day of November.

---

263. Joseph Mulhall vs. The Merchants & Farmers Savings Loan & Trust Company. Plff in Error. | In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and on the motion of Mr M. Blair of counsel for the plaintiff in error it is now here ordered and adjudged by this Court that the writ of error in this cause be,

and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Chief Justice Chase

Mary M. Kearney et al. vs. Piffs in Error. John Denn Lessee of Thomas C Sansbury et al. 52. | On motion of Mr J. J. Crittenden of Counsel for the plaintiffs in error it is now here ordered by the court that this cause be, & the same is hereby assigned for argument on the 11th day of November next.

C. E. Jenkins, assignee &c. vs. Piff in Error. Henry H McClellen. 175. | This cause was submitted to the

consideration of the court on the

record and printed argument by Mr Cyrus Bentley of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

A. B. Meeker
vs. Piff in Error.
James Lee et al.

This cause was argued by Mr Jno A. Kimpson of counsel for the defendant in error, and submitted on printed argument by Mr Cyrus Bentley of counsel for the plaintiff in error.

Arthur B. Meeker
vs. Piff in Error.
Jno Lee & Jacob Steever

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District

of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois.

per Mr Chief Justice Chase.

---

177 Brian Sheppard vs. Iff in Error
Alice B. Grenninger Executrix &c.

This cause was argued by Mr O. K. A. Hutchinson of counsel for the defendant in error, and submitted on printed arguments by Mr Gorkins & Mr Roberts of counsel for the pff in error.

---

178. Charles R. Lynde vs. Iff in error. The County of Winnebago.

This cause was argued by Mr N. D. Bown of counsel for the pff in error, & by Mr T. F. Withrow of counsel for the defendant in error.

Proclamation being made the court is adjourned until to-morrow morning at Eleven o'clock.

Tuesday October 29. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Charles A. Peabody, it is ordered that Henry N. Clarke Esquire of New York City is admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips

it is ordered that Joseph H Bradley junior Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

---

179. Joseph H. Maddox et al. vs. The United States. | Appellants. | On consideration of the motion of Mr Hughes, it is now here ordered by the court that this cause be, and the same is hereby continued to the next term.

---

133. Boroni E. Gardner vs. The Goodyear Dental Vulcanite Company. | Appellant. | Mr J. S. Black filed motion to annul & set aside the decree of affirmance entered in this cause, at the present term of this court, and to quash the appeal.

John Dirst
180. vs. Piffin Error.
H. B. Morris.

This cause was argued by Mr J. G. McPherson of Counsel for the defendants in error and submitted on printed argument by Mr S. F. Shuler of counsel for the plaintiffs in error.

Joshua & Jeremiah Collins.
181. vs. Plaintiffs in Error.
Laurason Riggs.

This Cause was submitted to the consideration of the Court on the Record & printed arguments by Mr B. C. Cook of counsel for the plaintiffs in error and by Messrs Carlisle and McPherson and Mr Thomas Dent, for the defendants in error.

A. St. and J. F. Starr
182 vs. Piffs in Error.
The City of Salem.

Ordered by the Court that this cause be and the

same is hereby continued to the next term. (per stipulation of counsel on file.)

---

183. 213 Kegs of fine cut chewing tobacco. C.H. Waterman Claimant. vs Plff in Error The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Edward Roby of Counsel for the plaintiff in error, and by Mr Attorney General Williams and Mr Solicitor General Phelps of counsel for the defendants in error.

---

184. Samuel Oakman vs Appellant. Chas Sawyer, John B. Brumbal.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and the appellant having been three times solemnly called by the Marshal to come into Court & prosecute his appeal, and failing to appear it is thereupon, on motion of Mr John Lathrop of counsel for the appellees now here ordered adjudged and decreed by this court, that this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

185. Richard Gregg vs. Plff in Error, William L. Moss.

This cause was submitted to the consideration of the Court on the record and printed Argument by Mr Cadiah Jackson of counsel for the plaintiff in Error, &

by Mr George F. Harding for the defendant in error.

The Propeller "Dean Richmond" Nathaniel C. Winslow, claimant, Appellant. vs. Elisha S. Dean, & Joel V. Taylor. 186 | Appeal from the Circuit Court of the United States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file stating that the matters in controversy in this cause had been agreed & settled between the parties it is now here ordered adjudged & decreed by this Court that this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

187. George D. Erskine, Coll. &c. vs. Pfff in error, Robert Holmbaer | This cause was argued by Mr Asst. Attorney General Hill of counsel for the plaintiff in error, and submitted on printed arguments by Mr Joshua Stark, for the defendants in error.

---

188. The United States vs Pfffs. in error James H. Powell et al. | This cause was submitted to the consideration of the court on the record and printed argument by Mr Assistant Attorney General Hill of counsel for the plaintiffs in error. No counsel appearing for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday October 30. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that Th. Jaup Miller Esquire of Washington City District of Columbia, and John C. Knox, junior Esquire of Philadelphia State of Pennsylvania be admitted to practice as attorneys & counsellors

of this court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr T. T. Crittenden it is ordered that George H. Gist Esquire of Washington City, District of Columbia be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

The United States vs Appellants Thomas H. Kelly.	On motion of Mr Asst Attorney General Hill it is now

205.

here ordered by the court that the judgment of dismissal entered in this cause on the 26th of January last, be, and the same is hereby rescinded and annulled, and that this cause be, and the same is hereby reinstated. (Stipulation of counsel on file.)

---

189 The United States vs Piffs in Error. J. Thomas et al | Ordered by the court that this cause, be, and the same is hereby continued to the next term.

---

191. Henry Douglass vs. Appellant W. W. Corcoran et al. | This cause was submitted to the consideration of the court, on the record and printed argument by Mr W. B. Webb and Mr J. C. Kennedy, of Counsel for the appellant, and by Mr Charles Mc. Matthews for the appellees.

---

192. Robert Frost vs Appellant, John T. Robey. | This cause was argued by Mr Joseph H. Bradley Sr, and Mr Joseph H. Bradley junior of counsel for the appellant, and by Mr Enoch Totten of counsel for the appellee.

193.	Talbot J. Fowler vs. Peff in Error. W. W. Ripley et al vs.	This cause was argued by Mr Enoch Totten of Counsel for the plaintiff in error, and by Mr. Th. Jessup Miller for the defendant in error.

194	Wm. C. Pickersgill et al. vs. Appellants. L. E. Lahens Exr. et al.	Ordered by the Court that this Cause be,

and the same is hereby continued to the next term.

Order

Ordered that all cases continued at this term, on and after Monday the 11th of November, except by order of the Court, upon special cause shown be placed at the foot of the docket.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Thursday October 31. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

---

356 The United States vs. Maria A. Burton widow, Nellie Burton, and Henry H. Burton Children and heirs of Henry S. Burton, deceased. | Appeal from the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the motion of Mr Attorney General Williams of counsel for the appellants, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

Alexander Cross	This cause
196 vs Appellant	was argued
The United States.	by Mr J. J.
	Coombs of

Counsel for the appellant, and by Mr Assistant Attorney General Hill and Mr Attorney General Williams of counsel for the appellees.

---

197 The Erie R. R. Co. vs. Pfff in Error. The State of Pennsylvania

198 The Cleveland, Zanesville & Cincinnati R. R. Co. vs Pfff. in Error The State of Pennsylvania

199 The Pittsburgh Ft. Wayne and Chicago R. R. Co. vs. Pfff in Error, The State of Pennsylvania.

and

200 The Delaware, Lackawana and Western R. R. Co. vs Pfff in Error The State of Pennsylvania.

On the motion of Mr. Knox Assistant Attorney General of Pennsylvania it is now here ordered by the Court that these cases be, & the same are hereby continued to the next term.

---

201 F. Dainese vs. A. J. DeZeyk et al. Appellants,

Ordered by the Court that this cause be, and the same is hereby continued to the next term. (per stipulation of Counsel.)

---

202. David Turner vs Piffi in error. J. M. Smith.

This cause was argued by Mr. G. L. Smith of counsel for the plaintiff in error, and by Mr. C. W. Watkins for the defendant in error.

---

203. Gustave G. Beauregard, C. Fellows, William Henderson, since dec. Caused, H. F. Florence et al. vs Piffs in error, The State of Louisiana, Henry S. McComb, Joseph H. Oglesby, Rich. Richard et al.

In error to the Eighth District Court of the State of Louisiana...

This cause came on to be heard on the transcript of the record from the Eighth District Court of the State of Louisiana, and it appearing to the Court that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered and adjudged by this Court, that the writ of error in

this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

205. The United States vs. Appellants / Thomas W. Kelly. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

---

206. Robert G. Hedrick vs. Pltff in Error, / Samuel T. Hughes. | Ordered by the Court that the argument of this cause be, and the same is hereby postponed until Thursday the 7th day of November next.

Order.

The Chief Justice announced, that at the close of business on Friday the Court would adjourn until Thursday the 7th day of November next.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday November 1. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Enoch Totten it is ordered that Winfield Smith Esquire of Milwaukee State of Wisconsin, and Wm F. Cogswell Esquire of Rochester State of New York, be admitted to practice as attorneys and Counsellors of this Court, and they were sworn accordingly.

608. Michael A. Bourd vs. Piff in Error, Henry F. Russell, Mayor &c. et al. | On motion of Mr P. Phillips it is ordered by the Court that the motion for a supersedeas in this cause be, and the same is hereby postponed.

---

184. Samuel Oakman vs. Appellant. Chas. Sawyer et al. | On motion of Mr Assistant Attorney General Field leave is hereby granted the Clerk to issue the mandate in this cause.

---

361 The United States vs. Appellants Andrew J. Fleming &c. and

362 The United States vs. Appellants Edward H. Wilcox &c. | On motion of Mr Thomas Wilson leave is hereby granted the Clerk to issue the Mandates in these causes.

Friday November 1. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Enoch Totten it is ordered that Winfield Smith Esquire of Milwaukee State of Wisconsin, and Wm F. Cogswell Esquire of Rochester State of New York, be admitted to practice as attorneys and Counsellors of this Court, and they were sworn accordingly.

---

608. Michael A Bourke vs Plff in Error, Henry F. Russell, Mayor &c. et al. | On motion of Mr P. Phillips it is ordered by the Court that the motion for a supersedeas in this cause be, and the same is hereby postponed.

184. Samuel Oakman vs. Appellant. Chas. Sawyer et al. | On motion of Mr Assistant Attorney General Field leave is hereby granted the Clerk to issue the mandate in this cause.

261 The United States vs Appellants Andrew J. Fleming &c. and
262 The United States vs Appellants Edward H. Wilcox &c. | On motion of Mr Thomas Wilson leave is hereby granted the Clerk to issue the Mandates in these cases.

Henry Bidwell et al.
127 vs. Piffs in error.
David Jamison

On motion of Mr J. A. Campbell it is now here ordered by the Court that the motion to dismiss this cause, be, and the same is hereby set for argument, on the first Friday of the next term. December 8th.

The State of Wisconsin.
13 orig. vs. Complainant,
The City of Dubuque et al.

On motion of Mr Enoch Totten, leave is hereby granted him to file a bill of complaint in this cause.

Geo. D. Erskine Collr. &c.
187 vs. Piff in Error.
Robert Hohnbach.

Mr Winfield Smith by leave of court filed motion to have damages allowed in this cause, in addition to costs and interest.

---

536. Alexander Hardy et al. vs. James Harvin et al. Appellants. | The motion for writ of certiorari in this cause was argued by Mr E.L. Stanton in support thereof. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

---

236. The United States vs James M. Provine Appellants | Mr S.J.D. Thicer moved the court to remand the record in this cause for the purpose of having the same amended and made up according to the facts in the Court below. On consideration whereof it is now here ordered by this court that said motion be, and the same is hereby granted.

315.	Charles Morgan as Appellant, vs. Jas. Graham, auditor &c.	Mr T. J. Durant filed motion to advance this cause on the docket for argument at this term

---

684.	James Graham, auditor &c. Pltff. in error. vs. C. C. Norton assignee &c.	Mr T. J. Durant filed motion to advance this cause on the docket for argument at this term.

216.	Henry Aldrich et al. Appellants. vs. Stephen J. Williams et al.	This cause was argued by M. T. T. Crittenden and Mr T. J. Durant, of counsel for the appellants, and by Mr P. Phillips, and Mr J. D. M. Hewson, of counsel for the appellees.

---

217 The National Bank of the Metropolis. vs. Iliff in error. J. L. C. Kennedy, receiver. | On motion of Mr. Ashton it is ordered by the Court that this cause be, and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned until Thursday morning next, at eleven o'clock.

Thursday November 7. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr F. P. Cuppy, it is ordered that Robert B. Warden Esquire of Covington State of Kentucky be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. M. Bartley. it is ordered that S. E. Jenner Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. T. Gantt, it is ordered that Honorable Jacob D. Cox of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

218. Samuel P. Bowen vs. Piffs in Error, John M. Jolly.

On motion of Mr Bartley, leave is granted him to file additional brief in this cause.

Robert J. Hedrick
206. vs. Piff in Error.
Samuel T. Hughes

This cause was argued by Mr M. Blair of Counsel for the plaintiff in Error, and by Mr Thomas J. Gantt of Counsel for the defendant in error.

Samuel P. Brown
218 vs. Piff in Error
John M. Jolly.

This cause was argued by Mr J. Hubley Ashton of Counsel for the plaintiff in error. The Court declined to hear argument on the part of the defendant in error.

Samuel P. Brown
218. vs. Piff in Error
John M. Jolly.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

District of Columbia and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf. Jus. Chase

219 The United States vs. Piffs in Error. Jacob Singer et al and

220 The United States vs. Piffs in Error. J. A. VanBuskirk et al.

These cases were argued by Mr Assist. ant Attorney General Hill and Mr Attorney General Williams of counsel for the plaintiffs in error, and submitted on printed arguments by Mr Edward Roby and Mr H. S. Monroe of counsel for the defendants in error.

Robert J. Hedrick
206. vs. Pff in Error.
Samuel T. Hughes

This cause was argued by Mr M. Blair of Counsel for the plaintiff in Error, and by Mr Thomas J. Gantt of counsel for the defendant in error.

Samuel P. Brown
218 vs. Pff in Error.
John M. Jolly.

This cause was argued by Mr J. Hubley Ashton of Counsel for the plaintiff in error. The Court declined to hear argument on the part of the defendant in error.

Samuel P. Brown
218. vs. Pff in Error
John M. Jolly.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

District of Columbia and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus. Chase

---

219 The United States vs. Plffs in Error.
Jacob Singer et al.
and
220. The United States vs. Plffs in Error.
J. A. Van Buskirk et al.

These cases were argued by Mr Assist ant Attorney General Hall and Mr Attorney General Williams of counsel for the plaintiffs in error, and submitted on printed arguments by Mr Edward Roby and Mr A. S. Monroe of counsel for the defendants in error.

221. The United States vs. Henry J. Hunt. Appellants.

The argument of this cause was commenced by Mr Hoisband Attorney General and of counsel for the appellants, and continued by Mr T. J. D. Fuller of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday November 8th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Samuel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr E. P. Stanton it is ordered that John M. Orr, Esquire of Leesburg State of Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

H. R. Hall et al. vs. Piffs. in error. William Jordan. 632.

On motion of Mr Stanton it is ordered by the Court, that the motion to dismiss this cause be submitted, after the expiration of three weeks from the date of service of copy of brief.

The State of Wisconsin Complainant, vs The City of Duluth et al. 13. orgl.

On motion of Mr Enoch Totten it is ordered by the court that subpoenas issue to the defendants in this cause.

E. Solomon et al vs Piffs in Error. Jas. Graham auditor &c. 373.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr T. J. Durant in support thereof, and by Mr John J. Key in opposition thereto. Whereupon this Court not being now

here sufficiently advised of & concerning what order to render in the premises took time to consider.

Mary M. Kearney et al. Plffs in Error.
52. John Denn. Lessee of Thomas C. Sansbury.

Mr. T. F. Critenden of counsel for the defendants

in error having suggested the death of Sarah J. Wall, one of the defendants in error in this cause. moved the Court for leave to enter the appearance of F. J. Wall and Sarah J. Wall, children and heirs at law of said Sarah J Wall deceased, as defendants in error in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of the said F. J. Wall, and Sarah J. Wall, children and heirs at law as aforesaid, be, and they are hereby entered as parties defendants in error in this cause with liberty to resist this writ of error.

H. R. Hall et al.
632. vs. Plffs. in error.
William Jordan.

On motion of Mr Stanton it is ordered by the Court, that the motion to dismiss this cause be submitted, after the expiration of three weeks from the date of service of copy of brief.

The State of Wisconsin
13. orig. vs. Complainant,
The City of Duluth et al.

On motion of Mr Enoch Totten it is ordered by the court that subpoenas issue to the defendants in this cause.

E. Solomon et al
373. vs Plffs in Error.
Jas. Graham Auditor &c.

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr T. J. Durant in support thereof, and by Mr John J. Key in opposition thereto. Whereupon this Court not being now

here sufficiently advised of & concerning what order to render in the premises took time to consider.

---

152. Mary M. Kearney et al. Plffs in Error. / John Denn. Lessee of Thomas O. Sansbury. | Mr. T. T. Crittenden of counsel for the defendants

in error having suggested the death of Sarah J. Wall, one of the defendants in error in this cause. Mard the Court for leave to enter the appearance of F. J. Wall and Sarah J. Wall children and heirs at law of said Sarah J. Wall deceased, as defendants in error in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of the said F. J. Wall, and Sarah J. Wall, children and heirs at law as aforesaid be, and they are hereby entered as parties defendants in error in this cause with liberty to resist this writ of error.

Spencer Smith
200. 969 & Eff in Error.
Hamilton J. McCool.

Mr J. A. Wills on behalf of Mr George F. Harding asked leave to file petition to recall the mandate and to rescind and annul the judgment heretofore entered in this cause.

The United States
221 vs Appellants.
Henry J Hunt.

The argument of this cause was continued by Mr S. J. P. Fuller of counsel for the appellee, and concluded by Mr Asst Attorney General Hill for the appellants

---

The United States.
222 vs Appellants.
Philip S Justice.

This cause was argued by Mr Asst Attorney General Hill, and Mr Asst Atto Genl McMichael of Counsel for the appellants, and by Mr J H Ashton

of counsel for the appellee.

223. Matthew Baird vs. The United States. Appellant

224. and The United States. vs. Matthew Baird. Appellants

These cases were argued by Mr J. D. McPherson of counsel for Baird the claimant and by Mr Assistant Attorney General Hill and Mr Asst. Atty General McMichael of counsel for the United States.

225. Daniel Murphy vs. John J. Paynter et al. Appellant

Mr George H. Paschal of counsel for the appellees having filed and read in open court, the following certificate to wit;

"In the Circuit Court of the United States for the District and State of Nebraska.

At the May term of said court to wit, on the fourth day of May 1871. The Honorable John F. Dillon Judge. being present, & presiding in said Court the following proceedings were had in the case of Daniel Murphy plaintiff vs John J. Joyner and Sophia Love defendants, as appears on folio 130 B of the journal of said Court.

This cause came on to be heard at a prior term of this Court, upon the pleadings and proofs, and was argued by Mr Baldwin for the plaintiff, and by Mr Woolworth for the defendants, and was taken by the Judge to consider the same, and at this term of the court being fully advised on the premises finds that the deed in the pleadings mentioned was not obtained by duress from the plaintiff.

It is therefore ordered adjudged and decreed that the bill of complaint

of said plaintiff be, and the same is hereby dismissed and that the defendants recover against the said plaintiff their costs in this behalf expended, taxed at $251.31/100.

And thereupon in open court the said plaintiff by his counsel prayed an appeal to the Supreme Court of the United States which was then and there allowed by the Court, and bond to be given by said plaintiff was filed at $200.

United States of America }
District of Nebraska } S.S.

I Watson B. Smith, Clerk of the Circuit Court of the United States for the District of Nebraska certify that I have compared the annexed order of said court with the original order as it appears of record on folio. 130 B of the journal of said Court, and that the same is a correct transcript thereof, and the whole of said original

order.

In testimony whereof, I have caused the seal of said Court, to be affixed, at the City of Omaha, in said District, on the 2nd day of November, 1872.

Watson B. Smith
Clerk."

and having stated that, the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged and decreed, by this Court, that this appeal from the Circuit Court of the United States for the District of Nebraska, be, and the same is hereby docketed and dismissed with Costs. And that this cause

be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law, and justice the said appeal notwithstanding. Per Mr Chief Justice Chase

225. Thomas P. Morgan vs The United States. Appellant. | This cause was argued by Mr S. D. McPherson of counsel for the appellant, and by Mr Assistant Attorney General Hill of counsel for the appellee.

226. The Chesapeake & Ohio Canal Company vs George Hill, junior. Appellant. | The argument of this cause was commenced by Mr W. S. Cox of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday November 11. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Stephen J. Field
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Ukeley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Benjamin E. Valentine Esquire of Brooklyn State of New York be admitted to practice as an attorney and counsellor of this Court. He was sworn accordingly.

On motion first made to the Court in this behalf by Mr Walter S. Cox it is ordered that George H. Christy Esquire of Pittsburg State of Pennsylvania be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

John Durst
180 vs Plff in Error.
William B. Morris.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in

Monday November 11. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Stephen J. Field
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Benjamin E. Valentine Esquire of Brooklyn State of New York be admitted to practice as an attorney and counsellor of this Court. He was sworn accordingly.

On motion first made to the Court in this behalf by Mr Walter S. Cox it is ordered that George H. Christy Esquire of Pittsburg State of Pennsylvania be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

John Dietz
180 vs Pfffin Error.
William B. Morris.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in

this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

Joshua Collins & Jeremiah Collins vs. Plffs. in Error, Lawson Riggs. | In error to the Circuit Court of the United States for the Northern District of Illinois.

181

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

96.	Alexander Cross vs The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the claimant for the sum of sixty-nine thousand, five hundred and fifteen dollars & one cent.

per Mr Justice Davis.

202. David Turner vs. Pltf in Error James M Smith | In error to the Supreme Court of Appeals of the Commonwealth of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the Commonwealth of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Miller.

Monday November 11. 1872 continued.

188 The United States vs. Biffs in Error. Sa. W. Powell & Henry J. Hildebrand, Presley C. Holland, & E. W. Hildebrand of Tennessee.

In error to the Circuit Court of the United States for the Middle District,

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by Counsel On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Clifford.

Talbot T. Fowler
193 vs Plff in Error.
H. H. Kipley & D. S. Gooding.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford

Robert E. Jenkins assignee
in bankruptcy of D. P.
Thompson vs Geo. H. McCallen.
175 vs Plffs. in Error
Henry H. McCallen

In error to the Circuit Court of the United

States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Chief Justice Chase.

Two Hundred and thirteen Kegs of fine cut Chewing tobacco &c.
C. H. Waterman.
53. vs. Plff in Error.
The United States.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel, On Consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Chief Justice Chase.

Henry Douglass
vs. Appellant,
Wm. M. Corcoran
and Geo. W. Riggs

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered

adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with Costs and damages at the rate of ten per cent, in addition to interest from the date of the decree below, and to paid at the same rate per annum that similar decrees bear in the Courts of the District of Columbia.

per Mr Chief Justice Chase

Alexander Hardy et al. vs. Appellants. James Harbin et al

556

Mr E. J. Stanton in behalf of Mr Shipman having filed and read in open Court, a suggestion of diminution of the record in this cause, in the words & figures following to wit;

"That certain exhibits filed in this cause, used in & belonging to the record thereof, as certified

by the Clerk of the said Circuit Court 9th Circuit being the same exhibits referred to on pages 306. 662. and 756. of the printed record in said cause, and particularly specified in the said Clerks Certificate of March 4. 1872. do not appear in the said record as filed at the December Term of the Supreme Court of the United States 1871. viz: 1st. The Original Expediente (Traced) circulated by Don Thomas Hardy for the place called "Rio de Jesus Maria" - The translation accompanying the same being a true and exact translation of said Expediente.

2nd. The petition of James M. Harlan and others claiming the rancho "Rio de Jesus Maria" presented to the United States Board of Land Commissioners June 8. 1852. and the decree thereon of said Board, dated

June 6, 1855, all of which papers are certified by Hon Ogden Hoffman at page 756, of the original transcript in the cause above entitled now on file in the United States Supreme Court.

3rd Letter accompanying deposition of Thomas J. Shadden, referred to in Original transcript herein at page 306.

And 4th Of printed newspaper notice attached to deposition of Thomas Botham marked D.J.H and referred to at page 662, of original transcript herein.

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of California commanding them that searching the records

and proceedings of said court in this cause they shall certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered adjudged and decreed by this court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the judges of the Circuit Court of the United States for the District of California commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

'84 James Graham auditor &c. vs. Pfff in error. C. C. Norton assignee &c. | On consideration of the motion of Mr Durant it is now here ordered by the court that this cause be advanced on the docket and assigned for argument on the first day of the next term.

---

200 ⅓ 69 Spencer Smith vs Pfff in Error. Hamilton J. McLeod. | Ordered that rule to show cause why a re-hearing should not be allowed, be issued against the defendant in error, returnable on or before the 18th inst. The answer to the rule and the arguments upon it are limited to the circumstances under which the case was submitted and heard by the court, and shall be filed on or before the 22nd instant.

---

345. Charles Morgan
vs. Appellant
James Graham, curator,
Antoine Dubuclet, Treasurer,
Geo E. Bovee Secy & Henry
C. Warmoth, governor
of the State of La, and
The New Orleans, Mobile
& Chattanooga Railroad
Company, now known
by the name & style of the
N.O. Mobile & Texas R.R.Co.

Appeal
from the
Circuit
Court of
the United
States for
the Dis-
trict of
Louisiana

This cause came on to be heard on
the transcript of the record from
the Circuit Court of the United
States for the District of Louisiana
and on the motion of Mr P. Phillips
of Counsel for the Appellant
It is now here ordered adjudged
and decreed by this Court that
this appeal be, and the same is
hereby dismissed with costs.
Per Mr Chief Justice Chase.

135 Francis Scandlet
vs. Plff in Error
Wm Prescott Smith.

On motion of Mr Money Genl this cause is ordered that this cause be, and the same is hereby continued to the next term.

---

226 The Chesapeake and Ohio Canal Company.
vs. Appellants.
George Hill junior

The argument of this cause was continued by Mr H. S. Cox, of counsel for the appellants and by Mr H. D Davidge for the appellee and concluded by Mr Cox for the appellant.

52 Mary M. Kearney et al.
vs. Plffs in Error
Jno Denn, lessee of J. O. Sansbury

The argument of this cause was commenced by Mr T. J. Durant of counsel for the plaintiffs in error & continued by Mr Daniel Clark for the defendant in error.

Proclamation being made the court rose

Tuesday November 12. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Hosley Middleton, Clerk.

Proclamation being made the Court is opened.

Mary M. Kearney et al.
vs. Pltffs in Error.
John Penn, Lessee of
J. C. Sansbury.

The argument of this Cause was continued by Mr Daniel Clark, and Mr T. J. Cutten-den of counsel for the defendant in error, & concluded by Mr T. J.

Durant for the plaintiff.

227. John T. Delmas vs. Piff in Error The Merchants Mutual Insurance Co. et al.

This cause was argued by Mr J. J. Durant of Counsel for the plaintiff in error, and by Mr. A. G. Riddle of counsel for the defendant in error.

228. The New Bedford and New York Steam Propeller Co. vs. Appellants, The United States.

229. And Thomas Clyde vs. Appellant The United States

Ordered by the Court that these Cases &c, and the same are hereby passed for the present.

James Rees
230 vs Piffin Error,
William S Feld.

The argument of this cause was commenced by Mr George A. Christy of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

---

Wednesday November 13. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

James Rees
230 U.S. Plff in Error,
William L. Gold

The argument of this cause was commenced by Mr George H. Christy of Counsel for the plaintiff in error, No counsel appearing for the defendant in error.

The New Bedford and New York Steam Propeller Company.
225. vs. Appellants.
The United States.

This cause was argued by Mr N.P. Chipman and Mr T.J. Durant of Counsel for the Appellants, and by Mr Attorney General Williams of counsel for the appellees.

Thomas Clyde
229. vs Appellant
The United States.

This cause was argued by Mr N.P. Chipman and Mr T.J. Durant of counsel for the appellant. The Court declined to hear argument on the part of the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday November 14. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Haley Middleton Clerk.

Proclamation being made the Court is opened.

---

231. Milton Marlin et al. vs. The United States. | Appellants. | On motion of Mr Attorney General Williams

in behalf of Mr Chipman it is ordered that this cause be, and the same is hereby postponed to the foot of the docket.

Arthur Seary et al.
232. vs Appellants
The United States.

This cause was argued by Mr. A. P. Chipman and Mr. T. J. Durant of counsel for the appellants, and by Mr Attorney General Williams for the appellees.

J. C. Voorhees, assignee of J. A. Bonsteel.
233. vs Appellants.
J. A. & J. A. Bonsteel.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr J. A. & C. Cottrell of counsel for the appellant. No counsel appearing for the appellees.

The Holyoke Water Power Co.
234. vs Plaintiff in Error.
Theodore Lyman et al

On motion of Mr Chamberlain on behalf of Mr Train who is

detained on account of sickness-
It is ordered by the court that this
cause be and the same is hereby
continued to the next term.

---

236. The United States vs. James M. Irvine and John R. Smith
237. vs. Plff in Error. The United States.

On motion of Mr Attorney General Pld Counsel & special cause shown it is ordered by the court that these cases be and the same are hereby continued to the next term.

---

236. Charles G. Miller vs. Plff in Error The People of the State of New York.

The argument of this cause was commenced by Mr. J. Baker of counsel for the plff in error & continued by Mr. Chapman of counsel for the defendant in Error.

Proclamation being made the court adjourned until tomorrow morning at eleven o'clock.

Friday November 15. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

31st Benajah H. Hall et al. Appellants vs. Edward T. Brown. Appellee

Mr C. Robinson of Counsel for the Appellee having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following

to wit:

"That the transcript of the record filed in this court, does not contain the depositions of John H. Kenyon which was read at the hearing in the Court below."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Kansas commanding them that searching the records and proceedings of said Court in this cause they shall certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered adjudged and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be

directed to the Judges of the Circuit Court of the United States for the District of Kansas commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

Charles G. Miller
vs. Pfff in Error.
The People of the State of New York.

The argument of this cause was continued by Mr J.C. Cochrane of counsel for the defendant in error, & concluded by Mr H.R. Dillon of counsel for the plaintiff in Error.

Geo. D. Erskine Coll'r of Internal Revenue &c.
241. vs. Pfff, in Error.
Geo. T. Van Arsdale et al.

and

Rufus Cheney late Coll'r of Internal Revenue.
242. vs Pfff in Error.
Geo T. Van Arsdale et al.

These cases were argued by Mr. Attorney General Williams of counsel for the plaintiffs in error and by Mr. John W. Cary of counsel for the defendants in Error.

Proclamation being made, the Court is adjourned until Monday morning at Eleven o'clock.

Monday November 18. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

---

150 The Phoenix Insurance Company of Brooklyn N.Y. vs Pliff in error. Vincent Hamilton and Josiah D. Cook.

In error to the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.
Dissenting per Mr Justice Bradley
Mr Justice Clifford.

The Gotham Manufacturing Company.
168 vs. Appellant
George C. White.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

Dissenting Per Mr Justice Strong.
Mr Jus Miller
" " Field
" " Bradley.

177. Brian Phelps, George J Sherman, & Henry E. Pickett vs. Hoffs. in Error. Alice B. Gruninger Extx of Lawrence Gruninger, decd.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Strong.

George D. Erskine Coll'r. Int. Revenue 187. vs. Piff in Error. Robert Hohnbach	In error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr. Justice Field

225. Thomas P. Morgan and George Rhinehart. vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Davis

185. Richard Gregg vs. Plff in Error. William S. Moss. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Northern District of Illinois and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

Per Mr Justice Miller.

223 Matthew Baird, Appellant, vs. The United States
and
224 The United States, Appellants, vs. Matthew Baird

Appeals from the Court of Claims.

These causes came on to be heard on the transcript of the record from the Court of Claims and were argued by Counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the

said Court of Claims in this cause be and the same is hereby affirmed.

per Mr Justice Swayne.

William H. Warner, Appellant
vs.
James F. Joy.

Appeal from the Circuit Court of the United States for the District of Kansas.

627.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

William N. Warner
328. vs. Pltff in Error.
James F. Joy.

In error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Clifford

Peter F. Holden
360. vs Appellant
James F. Joy.

Appeal from the Circuit Court of the United States for the

District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

221. The United States vs Henry J. Hunt | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause

be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the claimants' petition.

per Mr Chief Justice Chase

204.	Thomas Clyde as Appellant	Appeal from the Court of Claims.
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed

per Mr Chief Justice Chase.

Ezekiel Solomon and Myer M. Simpson, assignees of J. C. Nixon 373. vs. Peffs in Error. James Graham auditor, v. The State of Louisiana intervenor.	In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The Chief Justice announced that the Court would adjourn from Tuesday the 19th instant, until Thursday the 21st instant.

Emily F. Riley et. al. vs. Appellants.
Truman Coot.

Mr. J. D. McPherson having suggested the death of Emily F. Riley, and Elizabeth Brown, the appellants in this cause moved the Court for leave to enter the appearance of J. Stanley Jones as Executor and Tiltonne E. Riley, John F. Riley, & Blanch Jones as infant devisees of the said Emily F. Riley deceased (by their next friend, J. Stanley Jones) as appellants in this cause. On consideration whereof, it is now here ordered by the Court that the said Executor and infant devisees by their next friend as aforesaid, be, and they are hereby entered and made parties appellants in this cause with liberty to prosecute this appeal.

Geo. S. McClellan et al.	Mr J. D.
255. vs Appellants.	McPherson
Riley A. Shinn et al.	filed agree
	ment of

counsel, and additions to record in this cause.

Geo. S. McClellan et al.	Ordered
255. vs Appellants.	by the
Riley A. Shinn et al.	Court
	that this

cause be, and the same is hereby continued to the next term.

The Baltimore & Ohio	In error
Railroad Company.	to the Cir
343. vs. Pltff in Error.	cuit Court
George N. Perrine	of the Uni
and Celina Perrine	ted States,
his wife.	for the
	Eastern

District of Wisconsin.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel for the respective parties on file, it is now here ordered & adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs. Per Mr. Chief Justice Chase.

John N. Young
244 vs Appellant,
The Steamboat "Key City" and Barge "Simi Sheets" et al

This cause was argued by Mr. S. J. Emmons of counsel for the appellant and by Mr. J. W. Cary of counsel for the appellees.

Emily F. Wiley's Exrx. et al.
250 vs. Appellants,
Truman Cook.

This cause was submitted to the consideration of the Court on the record

and printed arguments by Mr J. D. McPherson, and Mr H. G. Riddle of counsel for the appellants, and by Mr M. St Mattingly for the appellee

Thomas J. Thorn
251 vs. Appellant,
Tomas de La Vega

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr F. Phillips of counsel for the appellant, & Mr F. J. Durant for the appellee.

E. P. Hunt
252. vs. Pff in Error.
Alexander Stoddart

In error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Texas, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court, and prosecute his writ of error, and failing to appear. it is thereupon, on motion of Mr I. D. McPherson of counsel for the defendant in Error, now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Chase

Henry Pelham
vs. Plaintiff in Error.
Seth Way et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr John Coburn of counsel for the plaintiff in error, and by Mr John D. Niles for the defendant in error.

---

354. Eliza E. Massey et al vs. Appellants. Jno. A. Allen, assignee &c. | This cause was submitted to the consideration of the court on the record and printed argument by Mr John M. Krum of counsel for the appellants, and by Mr H. Hitchcock for the appellee.

---

356. Anthony Reybold et al. vs. Appellants. The United States. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr Attorney General Williams of counsel for the appellees. No counsel appearing for the appellants

---

357. Lewis M Starr vs. Appellant John R Lamet et al. | This cause was submitted to the consideration of the court on the record & printed

argument by Mr. George H. Williams of counsel for the appellees. No counsel appearing for the appellant.

The Chief Justice announced the following:

The Court has amended in some respects the 21st Rule in relation to briefs &c. Copies of the new rule may be obtained from the Clerk tomorrow. It will take effect on the first day of January and the Court will expect full compliance with it on the part of counsel.

Proclamation being made the Court adjourned until tomorrow morning at Eleven o'clock.

Tuesday November 19. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire. Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

---

256. Anthony Reybold et al. vs. The United States. } Appellants } On motion of Mr Fitch Leave is granted them to file brief in this cause

---

Thomas J. Frow 251. vs Appellant Thomas De La Vega	On special cause granted Mr Phillips argued this cause on behalf

of the appellant.

Edwin Bates 253. vs Appellant The United States	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion of Mr John J. Reed and consent of Mr Assistant Attorney General Hill, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to proceed therein in conformity to law and justice. per Mr Chief Justice.

---

239 | William H. Stark, Appellant, v. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr H. Penn Clarke, and consent of Mr Assistant Attorney General Hill, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to proceed therein in conformity to law and justice.

per Mr Chief Jus. Chase.

Jacob Stern, and M. M. Oppenheimer. vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. H. Conn Clarke and consent of Mr. Assistant Attorney General Hill it is now here ordered & adjudged by this court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby reversed and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to proceed therein in conformity to law and justice.

Per Mr. Chief Justice Chase.

264 The United States vs. Appellant
Samuel S. Smoot,
and
Samuel S. Smoot,
265 vs. Appellant,
The United States

Ordered by the Court that these Cases be, and the same are hereby passed for the term.

The Republic Insurance Company.
266 vs. Pltff in Error.
William Lathrop, George H. Bartlett, Justin & Nathan Engelmann.

In error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin. On consideration whereof, it is now ordered and adjudged by this Court, that the writ of error in

this cause be, and the same is hereby dismissed with costs. per Mr Chief Justice Chase.

Horace J. Abell
267 vs Pltf in Error.
Supervisors of Hinsdale County.
and
Frederick P. James,
265. vs Pltf in Error,
The City of Milwaukee.

Ordered by the Court that these Cases be, and the same are hereby passed until Thursday the 20th instant.

William C. Gray Coll. &c.
264 vs Plaintiff in Error,
William Darlington

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Hill, of counsel for the plaintiff in error, and by Mr M. Blair and Mr F. A. Dick of counsel for the defendant in error.

Tuesday November 19, 1872. Continued.

270. The United States vs Plaintiffs
Isaac N. Cooke.

This cause was argued by Mr Asst. Atto General Hall of counsel for the plaintiffs and submitted on printed arguments filed by the late Mr H. H. Hunter for the defendant.

Proclamation being made the Court is adjourned until Thursday morning next at eleven o'clock.

Thursday. December 21. 1872.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Publication being made the Court is opened.

The United States
vs
Samuel A. Swan
and
Samuel A. Swan
vs
The United States.

Appellants

Ordered by the Court that these Cases, be, and the same are hereby postponed to the foot of the docket.

---

268. Frederick P. James in Pltff in Error vs City of Milwaukee. | (Substituted for No 217) This cause was argued by Mr Jno. W. Cary and Mr O. H. Wable of counsel for the plaintiff in error, and by Mr E. G. Ryan of counsel for the defendant in error.

---

267. Horatio J. Olcott in Pltff in Error, vs Supervisors of Fond du Lac County. | (For which No 268, was substituted) The argument of this cause was commenced by Mr M. H. Carpenter of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday November 22. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Williams it is ordered that Hon. S. F. Phillips of Raleigh State of North Carolina be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Our motion first made to the court on this behalf by Hon Matt H. Carpenter, it is ordered that, John R. Bennett Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

William A. Richardson
752. vs. Appellant,
The United States.

Mr Appt. Attorney Genl

Bill of counsel for the appellee having filed and read in open Court the following certificate to wit:

"District Court of the United States.
District of California.

I, Edward B. Colby, Clerk of the District Court of the United States for the District of California, do hereby certify that in the Case entitled "The United States, vs. Wm. A. Richardson

D.C. No 1108 - L.C. No 103 for "Land in Mendocino County" an "order granting appeal to U. S. Supreme Court," was made filed & entered October 27, 1869."

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court this 3rd day of September A.D. 1872.

Edward B. Colter
Clerk."

and having shown that the appellant has altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration thereof it is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the District of California

be and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said District Court to be proceeded, in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

1874 Samuel Oakman vs. Appellant
Charles Sawyer et al.

Mr. C. H. Hill moved the court to rescind and annul the decree of dismiss-al, entered in this cause on the 24th of October last; and to open the record and affirm the decree of the Circuit Court. Whereupon, this Court not being now fully sufficiently advised of & concerning what order to render in the premises took time to consider.

Charles S. Wallack
1150. vs Appellant
Ann C. Vaughan Wallack.

Mr A.G. Riddle of counsel for the appellant having suggested the death of Charles S. Wallack the appellant in this cause, moved the Court for leave to enter the appearance of Susan L. Wallack, as administratrix and Richard L. Wallack Charles N. Wallack and J. McCarlisle Wallack by his next friend Richard L. Wallack, as heirs at law, of the said Charles S. Wallack deceased, as appellants in this cause - On consideration whereof, it is now here ordered by the Court, that the said administratrix and heirs at law aforesaid be, and they are hereby admitted and made the appellants in this cause with liberty to prosecute this appeal.

160. Charles S. Wallach v. Appellant
Wm. Douglass Wallach.

Mr. A. J. Ritchie of Counsel for the appellant

having suggested the death of William Douglass Wallach the appellee in this cause, moved the Court for an order under the 15th Rule of Court to make the proper representatives parties. On consideration whereof it is now here ordered by this Court that unless the proper representatives of the said William Douglass Wallach deceased as aforesaid, shall voluntarily become parties within the first two days of the ensuing term of this Court, the appellant shall be entitled to open the record in said cause and to have the same heard and the decree therein rendered reversed if erroneous. Provided that a copy of this order shall be printed in some newspaper at the end of ea-

comment, in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr Chief Justice Chase.

Ex parte In the matter of Jorge K. Kennedy. 5 Original. Petitioner.

This cause came on to be heard on the petition filed and on the motion of Mr K. M. Cowing of Counsel for the petitioner it is now here ordered by the court that this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase

J. G. Voorhees, assignee of J. S. Bonsteel. 233 vs. Appellant. J. S. & J. S. Bonsteel.

On motion of Mr S. Phillips in behalf

of Mr Van Ball it is ordered that leave be granted him to file printed brief in this cause next week.

George S. Scriven by George McElwaine his next friend & guardian. vs Appellant
Percival P. Adashaw et al.

Mr J J Durant in behalf of Mr R. T. Merrick moved the Court to rescind and annul all other orders of Court entered in this cause at the present term, and asked leave to file the record and enter the appearance of the appellant, and appellees; and filed stipulation to submit the case upon the record when reached. On consideration whereof it is now here ordered by the Court that said motion and leave be, and the same are hereby granted.

The Mechanics Bank of Tennessee
578. vs. Plff in Error.
The Union Bank of Louisiana.

Mr. P. J. Durand of counsel for the Plaintiff in error,

having filed and read in open court a suggestion of a diminution of the record in this cause in the words & figures following to wit:

"That the Clerk of the Circuit Court has omitted to copy into the record certain documents introduced on the trial and described as documents numbers 3, 2, and 18, all of which are necessary to show the bearing of the instructions asked for in the Court below, and the nature of the demand being in part only for Confederate money.

By reason of which omissions and errors aforesaid the said counsel now here moved the Court

to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Louisiana commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found. On Consideration whereof, it is now here ordered and adjudged by this court, that a writ of certiorari be, and the same is hereby awarded, to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States for the District of Louisiana, commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause

and return the same with the said writ of certiorari forthwith to this Court.

per Mr Chief Justice Chase

---

307 The Portland Company vs. Appellant
The United States.

On motion of Mr Durant, it is ordered by the court that his name be stricken from the docket, as counsel for the appellant in this cause.

---

278 Jesse E Williams vs Appellant
William Baker.
and
The Cedar Rapids & Missouri River Railroad Company.
115 vs. Appellant.
J. H. Marindale et al

On motion of Mr B. R. Curtis ordered that these cases be argued together.

---

267 Horatio J. Odell. vs. Plff in Error Supervisors of Fond du lac County. | The argument of this cause was continued by Mr M.H. Carpenter of counsel for the plaintiff in error, by Mr J. C. Sloan and Mr J.R. Bennett of counsel for the defendant in error & concluded by Mr. M.H. Carpenter of counsel for the plaintiff in error.

---

271. Horatio M. Jones, Assignee &c. vs. Appellant. Jacob Frischle Jr. | This cause was argued by Mr J. A. Duchow. an of counsel for the appellant. No counsel appearing for the appellee.

---

272. Robert Dillon vs Appellant The United States. | The argument of this cause was commenced by Mr J. D. McPherson.

of Counsel for the appellant. The Court declined to hear further argument.

Henry Hoffman et al. vs. Pfiffs in error. J. M. Mason Collector. | Ordered by the Court that this

293

cause be, and the same is hereby postponed to the foot of the docket.

Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock.

Monday November 25. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon William M. Evarts it is ordered that Charles C. Beaman junior Esquire of New York City be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

The New Bedford & New York Steam Propeller Company.	Appeal from the Court of Claims.
228. vs Appellants.	
The United States	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Strong.

Arthur Leary, George Leary, & Daniel D. Leary.	Appeal from the Court of Claims.
252. vs Appellants.	
The United States.	

This cause came on to be heard on the transcript of the record

from the Court of Claims and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed

per Mr Justice Field.

---

222. The United States. vs. Philip S. Justice. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to

dismiss the petition.

per Mr. Justice Davis.

227 John T. Delmas. Cs. Piff in Error. The Merchants Mutual Insurance Company John Henderson et al. | In error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, for further proceedings to be had therein in conformity with the opinion

of this court.

Per Mr Justice Miller.

Mary M. Kearney, James L. Henry, Kate Kearney Henry his wife.
vs. In Error to the Circuit Court of the United States for the District of
132. Hiffs in Error.
John Denn, Lessee of F. C. Sansbury, Mary E. Sansbury, D. R. Hall, and Sarah J. Hall his wife. Philip Hall, jr. and Ann V. Hall his wife.

Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Henry Ulrichs & John Frederick May. Appellants
vs. Appeal from the Supreme Court of the District of Columbia.
216 et. al.
Stephen J. Williams, Wm J. Hopkins et al

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it appearing to the Court, that the appellees having under leave of the court entered a remittur of the sum of fifteen hundred dollars, and the sum of one thousand dollars allowed by the Court below as

Counsel fees. It is now here or dered adjudged and decreed by this court, that so much of the decree of the said Supreme Court in favor of J. Dick Hill, against John Frederick May for Five Thousand and twenty-seven $\frac{5}{100}$ dollars ($5.027.15) be in all things affirmed.

That so much of said decree in favor of J. Dick Hill, against Henry Clucks for Five thousand and thirty $\frac{81}{100}$ dollars be reversed, and the court below is directed to enter a decree in lieu thereof for thirty five hundred and thirty $\frac{81}{100}$ dollars ($3530.81) with interest from 1st. May 1868.

That so much of said decree in favor of Corcoran and Riggs against John Frederick May for Twenty-four hundred and fifty-five $\frac{94}{100}$ dollars ($2,455.94) be in all things affirmed.

That so much of said decree

in favor of Corcoran and Riggs against Henry Oelrichs for Two Thousand and nineteen 26/100 dollars ($2.019.26) be reversed, and the Court below is directed to enter in lieu thereof, a decree for One Thousand and nineteen 26/100 dollars ($1.019.26) with interest from 1st May 1868.

And that the appellants pay the costs in this Court.

per Mr Justice Swayne.

James Rees
230 vs. Piff in error
William L. Gold

In error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that

the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias denovo.

per Mr Justice Clifford.

Spencer Smith. / 200. Eq. & Ad. Writ of error. / Hamilton J. McCook.

On consideration of the return to the rule heretofore issued to the defendant in error requiring him to show cause why a rehearing should not be granted in this cause. It is now here ordered by the Court that said rule be, and the same is hereby made absolute. and leave is given to counsel to file printed arguments within sixty days from the beginning of the next term.

And it is further ordered that the judgment heretofore

entered in this cause by this court on the 30th day of April A.D. 1870, of the December Term 1869, be, and the same is hereby reversed and annulled, and that the Mandate issued to the Circuit Court of the United States for the Northern District of Illinois, in this cause be, and the same is hereby revoked and cancelled. And that the Clerk of this Court do forthwith send a certified copy of this order to the aforesaid Circuit Court of the United States for the Northern District of Illinois.

Per Mr Chief Justice Chase

257. Lyon M. Starr vs Appellant
John R. Land, Emma M. Land, Ida Squire & her guardian H. E. Cooper Jno. P. Lounsdale et al.

Appeal from the Circuit Court of the United States for the District

of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar decrees bear in the Courts of the State of Oregon.

per Mr Chief Justice Chase

184 | Samuel Oatman vs. Appellant. Chas. Sawyer et al. | Ordered by the Court, that the order heretofore

made at this term dismissing the appeal in this cause be, and

the same is hereby reversed and annulled.

184	Samuel Oakman vs. Charles Sawyer, John B. Brown, Philip Brown, John Brown, Henry Fox, Henry H. Fairbush, & Wm. Randall	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with Costs & interest until paid at the same rate

per annum that similar decrees bear in the courts of the State of New York.

per Mr Chief Jus. Chase

Robert Dillon
272. vs Appellant
The United States.

Ordered by the Court that further argument of this cause be heard.

Robert Dillon
272. vs Appellant
The United States.

The argument of this cause was continued by Mr Asst. Attorney General Hill of counsel for the appellees, & concluded by Mr John D. McPherson of Counsel for the appellant.

The Home Insurance Co.
274. vs Pff in error.
Selsman Stuckberger et al.

This cause was submitted to the consideration of

the court on the record and printed argument by Mr S. Trumbull of Counsel for the defendant in error, and on the record without argument by Mr M. H. Carpenter of counsel for the plaintiff in error.

Charles A. Pipes guardian &c. vs. Appellant
2/5 Hendrick Millenberger

This cause was submitted to the consideration of the court on the record and printed argument by Mr T. J. Durant of Counsel for the appellee and leave is granted Mr Thomas Hinton of Counsel for the appellant to file printed brief & argument within ten days from this date.

---

278. Jesse C. Williams vs Appellant
William Baker.
And
The Cedar Rapids & Missouri River R.R. Co. et al.
005. vs Appellants
Jno H. Martindale et al.

On the application of counsel it is now hereordered by the court that one additional hour be allowed on each side in the argument of these cases.

---

275 Jesse C. Williams vs Appellant
William Baker,
&
The Cedar Rapids & Mo River R.R. Co. et al.
655. vs Appellants
Jno. H. Martindale et al

The argument of these cases was commenced by Mr Isaac Cook of counsel for the appellants & continued by Mr J. F. Wilson of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at 9 o'clock.

Tuesday November 26, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

J. Stanley Jones, as Executor and T. E. Riley, Jno. F. Riley and Hannah Jones, as joint devisees of Emily F. Riley, deceased. Appellants.

vs.

Truman Cook.

250 Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate that decrees bear in the courts of the District of Columbia.

per Mr Chief Jus. Chase.

---

278. Jesse C. Williams vs Appellant
William Baker, &
The Cedar Rapids & Mo River R.R. Co. et al.

605. vs Appellants
J. H. Martindale et al.

The argument of these cases was continued by Mr T. F. Withrow, of Counsel for the appellees and concluded

by Mr B. R Curtis of counsel for the appellants.

Order.

Ordered by the Court that the 21st rule be amended, so as to read as follows:

Sec. 1 Only two counsel shall be heard for each party on the argument of a cause.

Sec. 2. Two hours on each side shall be allowed to the argument and no more without special leave of the court granted before the argument begins. The time thus allowed may be apportioned between the counsel on the same side at their discretion: Provided always that a fair opening of the cause shall be made by the party having the opening & closing arguments.

Sec. 3. The counsel for the plaintiff in error, or appellant

shall file with the Clerk of the Court at least six days before the case is called for argument, twenty copies of a printed brief, one of which shall on application be furnished to each of the counsel engaged upon the opposite side.

Sec. II. This brief shall contain in the order here stated

1. A concise abstract or statement of the case, presenting succinctly the questions involved, and the manner in which they are raised.

2. An assignment of the errors relied upon, which in cases brought up by writ of error, shall set out separately and specifically each error asserted and intended to be urged, and in cases brought up by appeal, the assignment shall state as specifically as may be, in what the decree is alleged to be erroneous. If error is assigned to a ruling upon

the report of a master, the specification shall state the exception to the report and the action of the Court upon it.

3. A brief of the argument exhibiting a clear statement of the point of law or fact to be discussed with a reference to the pages of the record, and the authorities relied upon in support of each point.

When a statute of a State is cited so much thereof as may be deemed necessary to the decision of the case shall be printed at length.

Sec 5 When the error alleged is to the Charge of the Court, the specification shall set out the [illegible] referred to totidem verbis, whether it be instructions given or instructions refused.

Sec. 6 When the error alleged is to the admission or rejection of the evidence, the specification

shall quote the full substance of the evidence admitted or rejected.

Sec. 7. Counsel for a defendant in error, or an appellee, shall file with the Clerk, twenty printed copies of his argument, at least three days before the case is called for hearing. His brief shall be of a like character with that required of the plaintiff or appellant, except that no assignment of errors is required, and no statement of the case, unless that presented by the plaintiff or appellant is controverted.

Sec. 8. Without such an assignment of errors, Counsel will not be heard except at the request of the Court, and errors not assigned according to this rule will be disregarded, though the Court at its option, may notice a plain error not assigned.

Sec. 9. When, according to this rule a plaintiff, in error or an

appellant is in default, the case may be dismissed on motion, and when a defendant in error or an appellee is in default, he will not be heard except on consent of his adversary, and with request of the Court.

Sec. 10. When no Counsel appears for one of the parties, and no printed brief or argument is filed, only one counsel will be heard for the adverse party; but if a printed brief or argument is filed, the adverse party will be entitled to be heard by two Counsel

This rule as amended, shall take effect on the 1st. day of January 1873.

The Clerk is hereby directed to have printed, Copies made of this Rule, as amended, and to send one Copy to each of the Counsel of record in all cases now pending and not yet argued.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes of the Supreme Court of the United States December Term 1872.

Monday December 2. 1872.

At the Capitol of the United States in the City of Washington District of Columbia being the present seat of the National Government of the United States, on the first Monday of December (being the second day of the same month) in the year of our Lord One thousand eight hundred and seventy-two, and of the Independence of the United States, the ninety seventh the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the court on this behalf by Mr P. Phillips it is ordered that Hiram E. Sickles Esquire of Albany State of New York, be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Attorney General Williams it is ordered that Orlin L. Love Esquire of Sacramento State of California be admitted to practice as an attorney & counsellor of this court, & he was sworn accordingly.

Mr Justice Clifford announced to the bar that the Court would commence the call of the docket tomorrow under the 26th rule.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 3. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Hosley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon George H. McCrary, it is ordered that James F. Wilson Esquire of Fairfield State of Iowa, be admitted to practice as an attorney & counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr D J. Durant it is ordered that Robert H. Bradford Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that Frederic H. Wells Esquire of New York City State of New York be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

8. The Butchers Benevolent Association of N. O.
vs. Plaintiff in Error.
The Crescent City Live Stock & R. R. House Company

Paul Esteban et al.
9. vs. Plaintiffs in error.
The State of Louisiana & rel Atty. Genl.

Tuesday December 3. 1872. Continued.

10 The Butchers Benev. Ass. of New Orleans
vs Plaintiff in Error
The C. C. Live Stock Landing & Slaughter Ho. Co.

21. The Philadelphia & Reading R. R. Co.
vs Plaintiff in Error.
The Commonwealth of Pennsylvania

22 The Philadelphia & Reading R. R. Co.
vs Plaintiff in Error.
The Commonwealth of Pennsylvania.
and
114. James Graham executor &c.
vs Plff in Error.
C. E. Norton Assignee &c.

These cases were called and passed by order of Court, to be taken up for argument on three weeks notice to the respective counsel on said cases.

Jesse C. Williams vs. Appellant, William Baker.

Mr P. Phillips on behalf of Mr E. C. Litchfield, filed petition and motion for leave to intervene in these cases, and to file a printed argument therein as counsel for the Iowa Land and Loan Company, a corporation existing under the laws of the State of Iowa; and owners of large tracts of lands the title to which is involved with the title upon which the appellees in this case rely to file printed argument in behalf of said Company, and that he be allowed until the 20th instant in which to file said argument. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Ex parte In the Matter of Marshall C. Ketchum

Mr Thomas Wilson

asked and obtained leave to file petition for a writ of Mandamus to the Court of Claims &c

---

1.	Henry S Dexter. vs Piff in Error, Mary K. Hall et al.	Ordered by the Court that this Cause be passed until tomorrow.

2.	George F. Kelly vs. Compelt. The City of Providence. and George F. Kelly. vs Compelt. The Proprietors of Central Bridge.	Ordered by the Court that these Cases be, and the same are hereby continued to the next term per Stipulation.

4.	The Mayor &c of Mobile vs Piff in Error. Wm. E. Lovrich.	On motion of Mr. P. Phillips it is ordered by the Court that this cause be, and the same is hereby continued to the next term.

Tuesday, December 3, 1872 Continued,

5 Jno. P. Stetmore vs. Piff in Error Perry Lovell. | Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Merriman of counsel for the defendant in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be & the same is hereby dismissed with costs.

per Mr Justice Clifford.

---

13 Wm H. Davidson et al vs. Slips in Error. The United States. | On motion of Mr Assistant Attorney General Hill it is now here ordered by the Court, that this cause be, and the same is hereby postponed.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Wednesday December 4. 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathn. Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. G. F. Poland it is Ordered that John J. Hutchinson Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr J. W. Moore, it is ordered that Edward S. Brown Esquire of Lynchburg State of Virginia be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

---

1. Henry S. Dexter Pltf in Error
Mary K. Hall et al

On motion of Mr R. Conkling leave is hereby granted him to file the appearance of the heirs and legal representatives of Henry S. Dexter the plaintiff in error, and also to submit the case on printed argument, in behalf of the plaintiff.

---

1. Henry S. Dexter Pltf in Error
Mary K. Hall et al

Mr Gaspar of counsel for the defendant in error suggested the death of Hall one of the defendants in error in this cause and moved

the Court for Court to fix the appearance of Laura S Hall and Laura Ladson Hall heir at law of said J Ladson Hall deceased and that Edward R. Wright be appointed guardian ad litem for said Laura Ladson Hall a minor - On consideration whereof it is now here ordered by the Court that Edward R. Wright be, and he is hereby appointed guardian ad litem of Laura Ladson Hall minor heir of J. Ladson Hall deceased. and that Laura S Hall widow and Edward R. Wright guardian ad litem of Laura Ladson Hall Minor child of J. Ladson Hall deceased be and they are hereby made co-defendants in error in this cause.

---

1. Henry S. Dexter. Pl'ff in Error. vs Mary R. Hall. -- | This cause was argued by Mr R. G. Galpin of counsel for the defendant in error.

and submitted on printed argument by Mr Conkling for the plaintiff in error.

Albert Boulden et al.
C. vs. Appellants.
Joseph Alexander et al

The argument of this cause was commenced by Mr J. H. Moore of counsel for the appellants and continued by Mr Thomas Wilson of counsel for the appellees.

Jesse Williams
63. vs Appellant
William Baker,
and
The Cedar Rapids &
Missouri River R.R.Co
343. vs Appellants.
J. H. Martindale et al

On motion of Mr F. Stuble on behalf of Mr Litchfield, leave is hereby granted him to intervene in this cause, & to file printed argument by the 20th of December.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock

Thursday December 5. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Carmel Brewster, it is ordered that Thomas Ewing Esquire of Pittsburg & James H. McNeelin Esquire of Philadelphia, State of Pennsylvania be admitted to practice as Attorneys & Counsellors of this Court, and they were sworn accordingly.

---

6 Albert Sauvinet et al. vs. Appellants Joseph Mercier et al.

The argument of this cause was continued by Mr. T. Wilson of counsel for the appellees, and concluded by Mr J. H. Moore for the appellants.

---

7 Charles Shultz vs. Pltff in Error, Enoch Thompson et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr C. Boggs & Mr J. S. Hoffman, of counsel for the plaintiff in error, and by Mr B. H. Smith of counsel for the defendants in error.

---

11 Charles K. Marshall vs. Appellant Mayor &c of Vicksburg.

This cause was argued by Mr P. Phillips & Mr R. H. Conrine of counsel for the Appellant, & by Mr J. E. McPherson of Counsel for the Appellees.

---

30 The Erie Railroad Company vs. Hanlifft in Error.
The State of Pennsylvania.
The Cleveland Painesville & Ashtabula R.R. Co.
31. vs. Pfff in Error.
The State of Pennsylvania.
The Pittsburg, Ft Wayne & Chicago R.R. Co
32. vs. Pfff in Error.
The State of Pennsylvania.
and
The Delaware Lackawana & Western R.R. Co.
33. vs. Pfff in Error.
The State of Pennsylvania.

Cases called by the Court that these cases are governed with No. 21 & 22.

The United States, Appellants,
14 vs.
The Buck Jno. Griffin & Co.

This cause was argued by Mr Asst Attorney General Hill of counsel for the appellants, and by Mr C Donohue for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

---

Friday December 6. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Clarkson N. Potter, it is ordered that Hon. Peter M. Dox of Huntsville State of Alabama, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon B. F. Butler it is ordered that James A. Gillis Esquire of Salem State of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

---

The United States
523 vs Appellants.
Samuel S. Smoot
and
Samuel S. Smoot
524 vs Appellant.
The United States.

Mr B. F. Butler moved the Court to advance these Cases on the docket & assign a day for hearing. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

---

211. The United States vs Appellants. John Spicer. | Mr Hughes moved the Court to advance this Cause on the docket and assign a day for hearing. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

365. D. L. Hall et al. vs. Piffs in Error. Nathan Jordan. | The motion to dismiss this Cause was submitted to the consideration of the Court on printed arguments by Mr E. P. Stanton in favor of the motion, and by Mr R. Johnson and Mr J. H. Emory in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to Consider.

A. H. McPhaul et al.
520 vs Plffs in Error.
John H. Sapsley.

Mr J. J Durant of Counsel for the

Plaintiff in error having filed and read in open court a suggestion of a diminution of the record in this cause in the words & figures following, to wit:

"That it appears by the affidavit of Frank H. Hopkins on page one hundred and eighteen of the manuscript transcript of the record from the Court below that the defendant in error John H. Sapsley was duly served with citation in error in this cause signed by one of the Judges of the Circuit Court of the Western District of Texas, but that the original citation has not been sent up with the record.

By reason of which omissions and Errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be

directed to the Judges of the Circuit Court of the United States for the Western District of Texas, Commanding them that searching the records and proceedings of said Court in this Cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On Consideration whereof it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Western District of Texas, Commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this Cause, and return the same with the said writ of Certiorari forthwith to this Court.

Per Mr. Chief Justice Chase.

521 Tomas de la Vega vs. John H. Lapsley et al. | Mr. T. J. Durant of Counsel for the appellant having filed and read in Open Court the suggestion of a diminution of the record in this cause, in the words & figures following to wit:

"In not sending up all that portion of the record after the decree on pro confesso against T. J. Trow."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the Western District of Texas, commanding them that searching the records and proceedings of said court in this cause they shall certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be

found: On consideration whereof, it is now here ordered adjudged and decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Western District of Texas, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found, in this cause & return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

---

62. Charles A. Pipes, guardian &c. Appellant vs. Ariadne Millemberger. | On motion of Mr Durant, leave is hereby granted him to file reply brief in this cause, on or before

Friday next the 13th instant.

---

7 Ex parte, Marshall O. Roberts et al. Petitioners. Original.. | Ordered that leave be granted the Attorney General, to file brief in this cause by the 16th instant, & that the cause be submitted on that day.

---

314 Alexander Hardy et al. vs. Appellants. James Harbin et al. | On motion of Pltf's P. Chipman it is ordered by the court that notice be given to counsel for the appellee by the counsel for the appellant, that the motion for a writ of certiorari in this cause will be called up on Friday next, and if he be not present to advocate the same, the motion will be dismissed.

---

25. Joseph H. Madder vs. The United States. Appellant. | This cause was argued by Mr James Hughes and Mr B. R. Curtis of counsel for the appellant and by Mr Assistant Attorney General Hill of counsel for the appellees.

---

26. Jesse W. Starr et al. vs. The City of Salem. Appellants. | On motion of counsel it is ordered that this cause be passed until Monday next.

---

27. The United States vs. Plffs in Error Jesse Thomas et al. | This cause was argued by Mr Asst Attorney General Hill of counsel for the plaintiffs in Error, and by Mr. A. Cooper of counsel for the defendants in Error.

---

68 Charles G. Scott et al. vs. Pfffs in Error Eulow and Betterton

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr H. M. Rose in support thereof and by Mr A. H. Garland in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

192 Henry Bidwell et al. vs. Pfffs in Error. David Jamison.

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr I. H. Campbell in support thereof and by Mr M. Taylor in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to

order in the premises took time to consider.

---

307 Louis Marquez et al. vs. Bloom Kahn & Co.. Pltffs in Error. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr Merriot and Mr Race in support thereof, and by Mr Taylor, and Mr Peckham in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday December 9. 1872

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. M. Blair it is ordered that J. P. Helms, Esquire of Nashville State of Tennessee be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Hon Clarkson N. Potter, it is ordered that Hadley Sterling Esq Esquire of New York City be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr F. Phillips, it is ordered that Horatio N. Ogden Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Robert G. Hedrick, Pltff in Error,
vs.
Samuel F. Hughes.

36. In error to the Circuit Court of the United States for the Districts of Missouri.

This Cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the Districts of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Bradley.

50.	Thomas J. Trow as Appellant vs Tomas De La Vega.	Appeal from the Circuit Court of the United States for the Western District of Texas

This cause came on to be heard on the Transcript of the record from the Circuit Court of the

United States for the Western District of Texas, and was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with Costs. And that this cause, be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Bradley.

Rufus Cheney late Collector of Internal Revenue for the first Collection district in the State of Wisconsin.

vs. In error to the Circuit Court of the United States for the Eastern District of Wisconsin.

Hs. Steff et al Exrs. George T. Vandeusdale, Mori F. Durant and Benjamin F. Hanch

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Strong.

---

51. Henry Pelham vs. Pliff in Error, Seth Way, Isaac P. Copelin, & Seth Eason. | In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Indiana, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Indiana.

per Mr Justice Strong.

38	The United States vs. Selfs in Error. Jacob Singer Joseph R. Bickenbike Robert H. Johnson C. Paesch, Jacob Casper Schneider, and William Housley.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois

and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby Reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Field.

Eliza E. Massey, John Massey, & William Downing.
52. vs. Appellants.
John A. Allen, assignee of the estate of William Downing a bankrupt.

Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Districts of Missouri, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Field.

William C. Gray
Collector &c. Appt. &c. Plff in Error.
vs
William Darlington.

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Pennsylvania and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Dissenting per Mr Justice Field.
Mr Chf Jus Chase.
" Justice Clifford
" Bradley.

Anthony Reybold et al. Appellants. vs The United States. | Appeal from the Court of Claims.

54

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

per Mr Justice Davis.

John M. Young, Appellant. vs The Steamboat "Key City" & Barge "Jim Sheets." The North Western Union Packet Co. Claimant.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby

reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the libellant, for the amount due him for his wheat, lost by the Key City, with interest by way of damages. per Mr Justice Miller.

---

28. Robert Prout vs John T. Robey. | Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed, with costs.

per Mr Justice Swayne.

---

56 Frederick P. James and N. S. Taylor vs. Peffs on Error. The City of Milwaukee.

In error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire de novo.

per Mr Justice Swayne.

58. The United States vs. Plaintiffs. Isaac N. Cooke. | On certificate of division in opinion between the Judges of the Circuit Court of the United States, for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the points & questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court, - 1st That it is not competent for the defendant to take exception by demurrer to the first five counts of the indictment, for the causes assigned,

2nd. That the said five Counts and each of them do allege & charge upon their face a crime or offence against the defendant, for which he is liable in law to be put upon trial Convicted and punished. 3rd. That the 33rd section of the Crimes act enacts the only statute of limitation applicable to the offence charged against the defendant, but that he cannot avail himself of it under the demurrer filed to the indictment.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Justice Clifford.

Robert Dillon
vs. Appellant.
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Chf Justice Chase.

---

61 The Home Insurance Co. vs Pltff in Error.
Lehman Auchberger
Benjamin Auchberger. &
Moses Auchberger.

In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this

cause be, and the same is hereby affirmed with costs and damages at the rate of ten per cent in addition to interest from the date of the judgment below, until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois.

per Mr Chief Justice Chase.

The United States.
523 vs. Appellants.
Samuel S. Smoot;
and
Samuel S. Smoot
524 vs. Appellant
The United States.

On consideration of the motion of Mr B. F. Butler it is ordered by the Court that these cases be reinstated on the docket, and take their places in the same order as if continued specially. the Court being satisfied that they were placed at the foot of the docket, at the last term under a misapprehension. and that they be called for argument immediately after No 53.

---

241. The United States vs Appellants John Spicer. | On consideration of the motion of Mr James Hughes it is ordered that upon Consent of counsel in No 523 and 524 this cause be advanced and argued with these causes, as one cause under the rule. otherwise the motion must be denied.

---

26. Jesse H. Starr & John F. Starr vs. Pliffs in Error. The City of Salem. | In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the motion of Mr B. R. Curtis, stating that the matters in controversy had been agreed

and called, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

91 | J. R Osborne agent. Southern Express Co. vs. Pfff in Error. The Mayor &c of Mobile. | On motion of Mr Curtis it is ordered by the court that this cause be assigned for argument on the 25th of January next.

---

63 | Jesse C. Williams vs. William Baker. | On motion of Mr S. R. Curtis it is ordered that the brief of Mr Hall Smith in behalf of the appellant be filed in this cause. It is also ordered that Mr Wickham have leave to file a reply thereto within fifteen days from the 20th of December next.

---

57. William Gray Coll.r &c vs. Plff in Error. William Darlington | On motion of Mr Blair & Consent of the Attorney General. Ordered that leave be granted the Clerk to issue the Mandate in this cause.

---

29 Mr. C. Pickersgill vs. J. E. Lahens Executor Appellant | This cause was argued by Mr H. H. Maclanahan of Counsel for the appellant, and by Mr Frances Kernan of counsel for the appellee.

The Court has received through the Chief Justice, a letter from Mr Justice Nelson announcing his resignation of his office as one of the Associate Justices, and have transmitted to him a letter expressing their feelings on the occasion, and direct both letters to be entered upon the minutes, as follows:

Cooperstown Nov. 28. 72.

My Dear Chief Justice,

The mail that carries these lines to you, carries my resignation of the office of Associate Justice of the Supreme Court.

I part from my brethren with regret; and return from an occupation which has been the height of my ambition for much the largest portion of my life. not from choice but for the reason that age and infirmities have disabled me from the performance of a full share of its duties.

Please communicate this to our associates, and believe me

Sincerely Your friend,

S. Nelson

Chief justice Chase.

Supreme Court U. States.

Dear Brother Nelson.

We have received with deep sensibility your letter announcing

your resignation of the post you have so long and so worthily filled. We greatly regret that we are no more to have the benefit of your long experience, mature wisdom, and large learning in conference and that the profession and the Country must lose the fruits of them, in the decisions of the Court.

You carry with you in your retirement a reverent & universal affection given to few men. The bar are unanimous in their eulogies, and we your brethren of the bench are not behind the bar in our sense of your great services, your sterling integrity and your constant benevolence.

May our Father in Heaven give you yet many days in which to enjoy the affections of Family, friends & communion which cluster around you.

Yours faithfully
S. P. Chase, Chief Justice.

Nathan Clifford
Atto Gen Supreme Ct US
N. H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

Proclamation being made the
Court is adjourned until tomorrow
morning at Eleven o'clock.

Tuesday December 10, 1872

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Ex parte, In the matter of Henry C. Warmoth Governor &c. Petitioner.

On consideration of the motion of Mr H. C. Yaw in behalf of Henry C. Warmoth governor of the State of Louisiana for leave to file pe-

tion for a rule on the Circuit, U.S. Va, and on the Hon E.H. Gerald holding said Circuit Court, to show cause why a prohibition or writ of certiorari should not issue to the said Circuit Court and to the said E.H. Gerald as a Judge of said Court prohibiting the said Court, and the said Judge from further proceeding in said cause or commanding them to send a certified transcript of said proceedings forthwith to this court to be here reviewed with according to law. It is now here ordered by this court that the leave prayed for, be and the same is hereby granted, and that the said petition be, and the same is hereby assigned for argument on Thursday next the 12th instant.

Benjamin Springer, James A. Driggers, Richard S. Buck, Thomas J. Marshall & Horace H. Miller.

582. vs. Appellants

Isaiah Jefferson Matthews, Caroline Josephine Matthews, by their next friend Jerome B. Conklin.

Appellees having filed & moved to dismiss the following certificate, to wit:

"In the Circuit Court of the United States for the Southern District of Mississippi. - ss. -

January Special Term A.D. 1871.

Thursday February 23d 1871.

Be it remembered that on the day and year mentioned in this caption the following order was made and entered of record in our said Court, viz:

Isaiah Jefferson Matthews and Caroline Josephine Matthews minors by their next friend Jerome

B. Conklin Complainants
No 53. vs. In Equity.
James A Driggers adm of B. L.
Matthews deceased, Benjamin Springer, A.S Mangum and Elizabeth
Mangum his wife, John M. Driggers John M. Lewis and Martha
M. Lewis his wife, Daniel B.
Driggers Elizabeth Worley, and
Reason Worley her husband,
Susanna Griffith, and Hampton
H. Griffith her husband, H Miller, Thomas A. Marshall, and
R. S. Buck, defendants.

On the petition of Benjamin
Springer James A Driggers, Richard S Buck, Thomas A. Marshall
and Horace K. Miller defendants,
in this cause, by their solicitor in
open court, it is ordered that an
appeal to the next term of the Supreme Court of the United States
from the decree rendered herein
on the 22nd day of February A.D.

1871 at former day of this term &c. and the same is hereby granted to said defendants upon their entering into bond in the penal sum of one thousand dollars with Charles Paine surety thereon payable to the complainants & conditioned according to law.

And afterwards to wit on the 25th day of February A.D. 1871, an appeal bond was filed in said cause, which is in the following words & figures to wit

Know all men by these presents: that we Benjamin Spring. Jr. James A. Goggins Richard S Duck Thomas A Marshall & Horace H. Miller principals, and Charles Paine surety, are held and firmly bound unto Sarah Jefferson Matthews, and Caroline Josephine Matthews, in the penal sum of one thousand dollars, for the payment of which we bind ourselves, our heirs, executors

and administrators, jointly & severally, firmly by these presents.

Signed by us and sealed with our seals, this the 25th day of February 1871.

The condition of the above obligation is that whereas the above bounden Benjamin Springer James A. Driggins, Richard S. Buck, Thomas J. Marshall, and Horace H. Miller have prayed an appeal from the final decree of the Circuit Court of the United States in and for the Southern District of Mississippi, rendered on the day of February A. D. 1871, in a certain cause therein in equity wherein the above named Isaac Jefferson Matthews and Caroline Josephine Matthews are complainants, and the above named Benjamin Springer, James A. Driggins Richard S. Buck, Thomas J. Marshall and Horace H. Miller, are defendants, to have the said cause heard by

the Supreme Court of the United States.

Now if the said Benjamin Springer, James A. Driggins, Richard S. Buck, Thomas H. Marshall and Horace H. Miller shall prosecute the said appeal with effect or failing therein shall pay all costs and damages that may be awarded against them by said Court, then this obligation shall be void; otherwise the same shall be, and remain in full force and virtue.

B. Springer, Seal
James A. Driggins
By T. H. Marshall atty. Seal
T. H. Marshall Seal
R. S. Buck, Seal
H. H. Miller Seal
C. Paine Seal

Endorsed filed February 26, 1873.

G. F. Swan
Clerk.

Southern District of Mississippi, S.S.

I George I. Swann, Clerk of the Circuit Court of the United States for said District, hereby certify that the above and foregoing two pages contain a full, true, and complete transcript of the order for appeal in the case therein stated, pending in said Court, and of the appeal bond filed therein, as the same remains of record, and on file in said Court.

Given under my hand with the seal of said Court hereto affixed, at office in Jackson in said District, this 9th day of November, 1873.

Geo. I. Swann, Clk

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court

to have this appeal docketed & dismissed. Or consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the Southern District of Mississippi be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase

Henry Benner, Samuel Brown, and William H. Walls.

12th vs. Appellants,

"The Steamer "Cumbria" her tackle &c. Edmund A. Souder, Archibald Getty, Stephen H. Souder, Alexander G. Bartell, Stephen Flanagan, James M. Flanagan, & Theodore H. Vasterlein.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr J. H. Ashton in behalf of the respective counsel & stipulation on file it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

F. Daimese
311 vs. Appellant.
A. J. DeZeyt et al. Appellees.

This cause was argued by Mr John D. McPherson of counsel for the appellant. No counsel appearing for the appellees.

The United States
35 vs. Appellants.
Thomas H. Kelly. Appellee.

This cause was argued by Mr N. T. Chipman of counsel for the appellee, and submitted on the

record by Mr Assistant Attorney General Hill of counsel for the appellants.

---

37. The National Bank of the Metropolis vs. Pfaff in Error. J. C. Kennedy, receiver

On motion of Mr Merrick it is ordered that this cause be passed for the present.

---

42. The Holyoke Water Power Company vs. Pfaff in Error. Theo. Leyman et al

Ordered by the Court that this cause be, and the same is hereby passed for the present.

---

43. Francis Dandelet vs. Pfaff in Error. Wm Prescott Smith.

On motion of Mr Assistant Attorney General Hill.

Ordered that this cause be, and the same is hereby continued to

the next term.

The United States 114. vs Appellants. James M. Bovine.	This cause was argued by Mr Assistant Attorney General Hill of counsel for the appellants & by Mr T. J. D. Fuller of counsel for the appellee.

John A. Smith 115. vs Piff in Error. The United States.	On motion of Mr. Asst Atto Gen Hill Ordered that this cause be, and the same is hereby continued to the next term.

Geo. F. McClelland et al. 53. vs Appellants. Riley A. Shinn et al.	This cause was submitted to the consideration of the court on the oral and printed argument by Mr J. D. McPherson of counsel for the appellants, and leave is granted the Appellees to file brief or printed argument for the appellees on or

before Friday next the 13 instant.

Proclamation being made the court
is adjourned until tomorrow
morning at eleven o'clock

Wednesday December 11. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Ashley Middleton Clerk

Proclamation being made the Court is opened.

The motion first made to the Court in this behalf by Mr Assistant Attorney General Hill it is ordered that Stephen C. Hazard Esquire of Jamestown State of New York be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon S. Trumbull it is ordered that William Carey Esquire of Salt Lake City Utah Territory be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Matt. H. Carpenter, it is ordered that William F. Dewey Esquire of Lancaster City State of Ohio be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

J. M. Hutchins. Plff in Error
435 vs
T. F. Low et al.

This cause was submitted to the Consideration of the court on the record and printed arguments by Mr George H. Julian of counsel for the plain

off on error, and by Mr E. J. Field for the defendants in error under the 30" rule.

The United States
523 vs. Appellants.
Samuel S. Smoot,
and
Samuel S. Smoot,
524 vs Appellant,
The United States.
and
The United States.
241 vs Appellants
John Spicer.

These cases were argued by Mr Asst Atty General Hall of counsel for the United States, and by Mr B. F. Butler for Smoot the claimant in 523 and 524, and by Mr James Hughes for Spicer the claimant in No 241.

Samuel B. Smith
611 vs. Appellant,
The United States.

This cause was argued by James Hughes of counsel for the appellant and submitted on printed argument by

Mr. Asst. Atty. General Hill of
counsel for the appellees.

Samuel B. Smith		Appeal from
64	vs. Appellant	the Court
The United States.		of Claims

This cause came on to be heard
on the transcript of the record from
the Court of Claims, and was ar-
gued by Counsel. On considera
tion whereof, it is now here or
dered and adjudged by this court
that the judgment of the said Court
of Claims in this cause be, and the
same is hereby affirmed

per Mr Chief Justice Chase.

Eugene B. Allen et. al.		The argument
65.	vs. Appellants.	of this cause
The United States.		was com
		menced by

Mr James Hughes of counsel for the
Appellants, and continued by Mr
Asst. Attorney General Hill of counsel

for the appellees and concluded by Mr Hughes for the appellants.

Benjamin H. Sellner
66. vs. Appellant,
The United States.

This cause was submitted to the consideration of the court on the record and printed argument by Mr A. G. Riddle of counsel for the appellant.

Benjamin H. Sellner
66. vs. Appellant,
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed And

that this cause be, and the same is hereby remanded to the said Court of Clarris.

per Mr Chief Justice Chase.

---

67. Benjamin F. Dawley vs Samuel Houston | Appellant | Ordered by the Court that this Cause be,

and the same is hereby continued to the next term.

---

68 Charles G. Scott et al. Ex's vs Ploffs. in Error, Seton and Betterton. | Ordered by the court that this

Cause be, and the same is hereby passed for the present.

Eq.	The Town of Grand Chute vs. George H. Hinegar.	Ordered by the Court that these Cases be passed to be submitted under the 30 rule.
	and	
No.	The Town of Grand Chute vs. George H. Hinegar. Appellant.	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday December 12. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Hon. Stevenson Archer of Bel Air State of Maryland be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

127	Abram Benner et al vs. Steamer Cumbria	Appellants.	On motion of Mr Ashton leave granted the Clerk to issue the mandate in this Cause.

8	Ex parte Kenny C. Yarmouth Governor &c Original ..	Petitioner.	The petition for a prohibition on the Circuit Court U.S. for the District of Louisiana and the Hon E.H. Durell holding said Court &c was argued by Mr P. Phillips and Mr H. A. Ogden in support of the petition and by Mr C. Cushing and Mr Matt H. Carpenter in opposition thereto. Whereupon the Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

Thursday December 12. 1872 Continued.

71.	Edward G. Hamick administrator &c. vs. David Barton et al.	This cause was argued by Mr Conway Robinson of counsel for the plaintiff in error, and by Mr George F. Moon of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 13. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley.

} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Hesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A G. Riddle it is ordered that William H. Newson Esquire of Lawrence State of Kansas, be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. Denver it is ordered that Thomas Marshall Esquire of Salt Lake City Utah Territory be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

J. V. Burdemeyer Jr. | Mr H. J. Gid-
39 vs. | dee of counsel
Is Aff in Error. | for the plain-
The State of Iowa. | tiff in error,

moved the Court to advance this cause on the docket for argument at the present term. Whereupon this Court not being now here sufficiently advised of, & concerning what order to render in the premises took time to consider.

The United States
360 vs Appellants
The Steam Ferry Boat
Nuestra Senora de Regla.

On the motion of Mr Asst. Attorney Genl Hill it is ordered by the Court, that this cause be advanced on the docket & assigned for argument on the 20th of January.

The Central Pacific Railroad Company.
579 vs Appellant.
The People of the State of California.

The motion of Mr J. S. Love Atty. Gen. of California to advance this cause on the docket for argument at the present term, was argued by him in support thereof & by Mr J. D. McPherson in opposition thereto. Whereupon this Court not being now sufficiently advised of, & concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning next, at eleven o'clock.

Monday December 16. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

---

40. The Chesapeake & Ohio Canal Company. vs. George Hill junior. | Appeals from the Supreme Court of the District of Columbia.

Appellants.

This cause came on to be heard.

on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed, each party paying their own costs in this Court, and in the lower court.

Dissenting per Mr Justice Bradley.
Mr Justice Strong
" " Davis

Albert Boulden,
H. H. Pearson et al.
vs. Appellants.
Joseph Hernandez et al.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof

it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Strong.

Joseph H. Madden Benjamin F. Camp, vs Preston Parr. 35. vs Appellants, The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

George D. Erskine
Coll. Int. Revenue.
vs. In error to the
Geo. T. Clinch Sedale et al. Circuit Court
of the United
States for the
Eastern Dis-
trict of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr. Chief Justice Chase

15. William H. Barnes, James N. Kerns, and Albert L. Magleton, vs. Piffs. in error, The Philadelphia & Reading Railroad Co. | &c. error to the Circuit Court of the United States for the Eastern District of Pennsylvania,

Reversed C. & Remanded with costs.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs.

By a divided Court.

William H. Barnes, James A. Kerns, and Albert S. Magillon, Plffs. in Error, vs. The Lehigh Valley Railroad Company.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

16.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

By a divided court.

William H. Barnes. James N. Kerns. 17 & Albert L. Magilton. vs Plffs. in error, The Lake Superior & Mississippi R. R. Co.	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

By a divided Court.

William H. Barnes, James L. Kerns and Albert S. Mogilton. vs. Pltffs. in Error. The Phila & Reading Railroad Company.

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided court.

Reversed and Remanded Dec. 23rd 1872

19. William H. Barnes, &c vs James A. Kerns. vs. Pltffs in Error. The Harrisburg Portsmouth, Mountjoy, and Lancaster R. R. Company. | In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

Reversed and Com. Mod. Dec. 20. 1872

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof the Court being equally divided in opinion it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

William H. Barnes and James L. Kerr.	In error to the Circuit Court of the United States, for the Eastern District of Pennsylvania.
30 vs. Plffs. in Error.	
The Philadelphia and Easton Railroad Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof the Court being equally divided in opinion it, is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

Affirmed and Annulled. December 20 1872

By a divided Court.

Charles G Scott et al	On considera-
65 vs. Plffs in Error.	tion of the
Eaton & Betterton	motion to
	dismiss this

cause and of the argument of

counsel thereupon had as well in support of, as against the same, it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase

365 H. R. Hall et al. vs. Piffs in Error. William Jordan. | On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the court that said motion be and the same is hereby denied.

per Mr Chief Justice Chase

Ex parte. T. Jefferson Geer 4 Original - Petitioner. | On consideration of the petition for writs of certiorari and habeas corpus in this cause, & of the argument of counsel thereupon

had as well in support of as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

By a divided Court.

Ex parte Henry C. Warmoth Governor &c. Petitioner

On Original.

On consideration of the motion for writs of prohibition and Certiorari in this cause, and of the argument of Counsel thereupon had, as well in support of, as against, the same it is now here ordered by the Court that said petition be, and the same is hereby denied.

per The Chief Justice Chase

Monday December 16. 1872. Continued.

8. Butchers Benev. Asso. of N.O. F.E vs. The Crescent City Live Stock Landing & Slaughter Co.
9. Esteban et al. Plffs in Err. vs. State of La ex rel Butchers Benev. Asso. of New Orleans. Plffs in Err.
10. vs. The Crescent City L. Landing & S. House Co.
21. Phil & Reading R.R.Co. Plffs in Error vs. State of Penna.
22 " " " " " " " " "
30 Erie R.R. Co. " State of Penna.
31. Cleveland Painesville & Ashtabula R.R. Co. " " " "
32 Pittsburgh, Ft. Wayne & Chicago R.R. Co. " " " "
33. Delaware, Lackawana & Western R.R. Co " " " "
414. Jas. Graham, auditor &c. " E.E. Norton, assignee.

Ordered by the court that these cases be assigned for the third of February, when they will be, if argued in the order in which they stand upon the docket; and the Clerk is directed to give notice forthwith to the counsel.

The Central Pacific Railroad Company.
579 vs Plff in Error
The People of the State of California

On consideration of the motion to advance this cause &c. & of the argument of counsel thereupon had as well in support of as against the same it is now here ordered by the court that said motion be granted. And that this cause be assigned for argument on the 2nd Monday of January next.

Appointment of Marshal.

Ordered by the court that the following letters and orders be entered upon the Minutes.

Washington Dec. 11. 1872.

Mr Chief Justice Chase.

Sir.

I have the honor to tender my resignation as Marshal of the Supreme Court of the United

States, to take effect on Monday December 16. 1872.

Very Sincerely
Your Obedient Servant.
R. C. Parsons.

Washington Dec: 14. 1872.

Dear Colonel,

I am directed by the court to say that we have received with regret, your resignation of your office of Marshal, which your election to a more distinguished position as a member of the House of Representatives constrains us to accept. Your courtesy & attention to each of us in the discharge of your official duties has made us all your friends and we most heartily wish you an honorable and brilliant career in the new path on which you are soon to enter.

Our long and unbroken personal relations makes it es-

specially agreeable to me to convey to you these assurances.

Faithfully Yours.
S. P. Chase
Chief Justice U States.

Col. R. C. Parsons
Marshal &c. &c.

Ordered that the Marshal of this Court be required to reside in the City of Washington, and that he is expected during his continuance in office to engage in no other business than attention to the duties of the Marshalship.

Ordered that John G. Nicolay be appointed Marshal of this Court in place of R. C. Parsons resigned to take effect on Monday the sixteenth instant.

The Chief Justice announced that the Court would adjourn on Friday the 20th inst to Monday the 6th day of

January 1873.

Ex parte Marshall & Roberts et al. Petitioners

7. Orig. | The motion for a writ of mandamus in this cause was submitted to the consideration of the Court on printed arguments by Mr Wilson and Mr Corcoran in support thereof, and by the Attorney General in opposition thereto. Whereupon this court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

Edward G. Hamrick adm'r. &c.

71. vs Pfeffer in Error.

David Barton et al

The argument of this cause was continued by Mr. George F. Moore of counsel for the defendant in error and concluded by Mr Conway Robinson of counsel for the plaintiff in Error.

72. William H. Kimball et al vs. James J. West. Appellants. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr R. T. Merrick of counsel for the appellants & by Mr J. C. Broadhead for the appellee.

---

73. Robert H. Montgomery vs The United States. Appellant | The argument of this cause was commenced by Mr S. J. D. Fuller of counsel for the appellant.

Recess taken & the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 17, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter, it is ordered that James B. Sener Esquire of Fredericksburg State of Virginia be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made in the Court in this behalf by Hon George W. McCrary, it is ordered that H. P. Wolf Esquire of Tipton State of Iowa be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

---

Mr Nicolay having taken the following oaths, and given bond in the sum of twenty thousand dollars as required by law, entered upon the duties of his office.

I John G. Nicolay do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Supreme Court of the United States, and true returns make, and in all things well & truly and without malice or partiality perform the duties of the office of Marshal of the Supreme Court of the United States during my continuance in said office. So help me God.

John G. Nicolay

Subscribed & sworn to
before me, this seventeenth
day of December A.D. 1872.
(seal) Dan'l Middleton
Clerk Sup Court U.S.

Know all men by these presents:
that, we John G. Nicolay of Spring
field State of Illinois, and Montgom
ery Blair of Montgomery county
State of Maryland, and E. Pock
of Georgetown District of Columbia,
are held and firmly bound unto
the United States of America, in
the penal sum of twenty thousand
dollars lawful money of the Unit
ted States, to be paid to the said
United States or their certain at
torney; to which payment well
and truly to be made, we bind
ourselves, our and each of our
heirs executors & administrators
jointly and severally, firmly
by these presents sealed with our

seals and dated this eleventh day of December A.D. 1872.

Whereas the above bounden John G. Nicolay hath been appointed Marshal of the Supreme Court of the United States:

Now therefore the condition of the above obligation is such that, if the said John G. Nicolay shall faithfully discharge the duties of his said office; and shall well & faithfully keep, disburse, pay over, and account for, according to law, all moneys that may come into his hands as such Marshal as aforesaid, then this obligation to be void; otherwise to remain in full force and virtue in law.

Witnesses
G. H. Middleton
Jas. H. McKenney

John G. Nicolay (Seal)
Montgomery Blair (Seal)
E. Peck (Seal)

I approve the within bond & witnesses -
S. P. Chase.

390. F. Bertemeyer Sr. vs. Plff in Error. The State of Iowa. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. T. Dillon of counsel for the plaintiff in error, and by Mr Henry Oconnor of counsel for the defendant in error, under the 20th rule.

---

389. The Chicago Burlington and Quincy Railroad Co. vs. Plaintiff, The County of Clay | This cause was submitted to the consideration of the court on the record & printed arguments by Mr J. M. Woolworth of counsel for the plaintiff and by Mr Gilbert B. Scofield of counsel for the defendant, under the 20th rule.

---

353. Samuel V Mays et al vs. Plff in Error. Frederica Fretton. | Mr P. Phillips filed motion to dismiss this cause

for want of jurisdiction.

---

523 The United States vs Appellants Samuel S. Smoot and
524 Samuel S Smoot vs Appellant, The United States.

Mr B. F. Butler with the Consent of Mr Asst Attorney General Hill, asked & obtained Leave to file certain papers in these cases.

---

93 John Williams, Coll &c. vs. Plff in Error. Wm F. Reynolds, agent and Trustee.

On motion of Mr Asst Attorney General Hill, it is ordered that this cause be passed until Mr Justice Hunt shall take his seat.

---

73 Robert A. Montgomery vs. Appellant The United States.

The argument of this cause was continued by Mr

T. J. D. Fuller of counsel for the appel. lant, by Mr Asst. Atto General Hill of counsel for the appellees, and concluded by Mr T. J. D. Fuller for the appellant.

---

74 John Maguire vs. Plff in Error / Mary L. Tyler et al. | On motion of Mr B. A. Hill of counsel for the defendant in Error, one additional hour is hereby given to each side in the argument of this cause

---

74. John Maguire vs. Plff in Error. / Mary L. Tyler et al. | The argument of this cause was continued by Mr S. T. Glover of counsel for the plaintiff in Error, and continued by Mr P. Phillips and Mr B. A. Hill of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 18. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that A. H. Jackson Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

76 Joshua Atkins et al. vs. The Fibre Disintegrating Company. | On motion of Mr Benedict it is ordered that this cause be passed when reached in the call and taken up at such time as counsel may agree upon with consent of the Court.

Ex parte H. C. Warmoth. 8 Original - Petitioner. | On motion of Mr P. Phillips leave is hereby granted Mr Ogden to withdraw his commission as attorney general filed in this cause.

John Maguire 74. vs Plff in Error. Mary S. Tyler et al. | The argument of this cause was continued by Mr B. A. Hill of counsel for the defendant in error and concluded by Mr Clover for the plaintiff in error.

37. The National Bank of the Metropolis vs. Poff in Error. J. C. Kennedy vs. Va.

The argument of this cause was commenced by Mr. J. H. Ashton of counsel for the plaintiff in Error and continued by Mr. R. T. Merrick of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday December 19, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S. T. Glover, it is ordered that Samuel Knox Esquire of St Louis State of Missouri be admitted to practice as an attorney & Counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon George G. Wright, it is ordered that Elijah Odell Esquire of McGregor State of Iowa, and Ogilvie Carleton Esquire of Sioux City State of Iowa be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Hon S. A. Merritt it is ordered that Zerubbabel Snow Esquire of Salt Lake City Utah Territory, be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

The National Bank of the Metropolis
vs. In Error.
J. C. Kennedy, et al.

The argument of this cause was continued by Mr R. T. Merrick, and Hon W. M. Merrick of counsel

for the defendant in error, and concluded by Mr H. D. Dandge for the plaintiff in error.

---

56. H. P. James et al. vs. The City of Milwaukee. Appellants

On motion of Mr E. G. Merrick in behalf of Mr J. W. Cary leave is granted the Clerk to issue the mandate in this cause.

---

75. E. Farrer admr. &c vs. Pfff in Error. Elias Keach et al.

This cause was argued by Mr Geo. W. Paschal of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

---

77. J. H. Garnhart et al. vs. Pfff in Error. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments

by Mr N. P. Chipman, and Mr John N. Noble of counsel for the plaintiffs in Error, and by Mr Asst. Attorney General Hill of counsel for the defendants in error.

---

78 The United States vs Plffs in error. Samuel H. Bennett.

79 The United States vs. Plffs in error, Samuel H. Bennett.

80 The United States vs Plffs in error Wm W. Crane et al.

and

81 The United States vs Plffs in Error. Wm W. Crane et al.

These Causes were argued by Mr Asst. and Attorney General Hill, of counsel for the plaintiffs in error, and by Mr H. S. Burnett, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 20. 1872.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable Salmon P. Chase Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that David C. Logabatt, Charles E. Fenner, and Walker Fearn Esquires of New Orleans Late of New Orleans, State of Louisiana, be admitted to practice as attorneys & counsellors of this Court & they were sworn accordingly.

Honorable Samuel F. Phillips appeared and produced the following letters patent which were ordered to be recorded on the minutes of this court in the following words, viz:

Ulysses S. Grant.
President of the United States of America.
To all who shall see these presents.
Greeting:

Know Ye, That Reposing special trust and confidence in the integrity, ability and learning of Samuel F. Phillips, I have nominated and by and with the advice and consent of the Senate do appoint him to be Solicitor General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law, and to have and to hold the said office with all the powers privileges and emoluments thereunto of right appertaining unto him

the said Samuel F. Phillips subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the Eleventh day of December, in the year of our Lord One thousand, Eight hundred & seventy two and of the Independence of the United States of America the ninety-seventh.

(seal)

By the President. U. S. Grant.

Hamilton Fish.
Secretary of State.

Ex parte Marshall O Roberts et al. / Original. Petitioners. | On consideration of the motion for a writ of mandamus in this cause, and of the argument of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that a rule issue to the Court of Claims, returnable on Friday the 10th day of January 1873, requiring them to show cause why a writ of mandamus should not issue in accordance with the prayer of petitioners.

The United States vs. James M Provine. 114 / Appellants. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof the Court being equally divided in

opinion, it is now here ordered and adjudged by this court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed. By a divided court.

Charles A. Pipes, guardian &c. and the heirs of Stephen Pipes deceased.

62. vs. Appellants.

Aristide Mitchenberger.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Louisiana and was argued by counsel. On consideration whereof the court being equally divided in opinion, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause

be, and the same is hereby affirmed with Costs.

By a divided Court.

---

606 John L. Cons, Henry Hinckley, & Peter Nelson. vs. Plffs. in Error. The United States.

Mr Attorney General Hill claims of Counsel for the defendant in Error having filed and read in open court the following certificate to wit:

"United States of America - Western District of Pennsylvania } ss.

I, S. C. McCandless Clerk of the District Court of the United States for said District do hereby certify that the annexed is a true copy of the docket entries in case of the United States vs. John L. Cons et al filed in my office at No 5 May Term 1868, Civil docket,

Witness my hand and

the seal of said Court at Pittsburgh
this 16th day of December A.D. 1872

Seal

S. C. McCandless.
Clerk of U.S. District
Court for said District.

In the District Court of the United States
for the Western District of Pennsylvania.

Docket Entries.
No 5 May Term 1868.
Civil Docket.

Carnahan
Furnances
Guthrie & Ewing
for Hinckley & Wilson

The United States.
vs
John L. Cons, Henry
Hinckley & Peter
Nelson.

Summons
debt for
penalty
of Ten
Thousand
Dollars

on Bond issued Nov. 26. 1867. Returnable to the 1st Monday of January A.D. 1868. Dec 17, 1867. Returned served Titusville Dec 4. 1867, on Peter Nilson and Henry Hinkley by producing to them the original, summons, and by leaving with them

a true copy. No. 1166. Dec. 18th 1867. Narr filed January 23. 1868. affidavit of defence filed May 5. 1868. plea filed September 2nd 1868. On motion of defendants counsel, and on affidavit filed continued for trial at October Term next. Nov. 6 1868. Continued for trial at Erie at January Term 1869. January 5. 1869. (at Erie) continued by consent until May Term 1869. May 7. 1869 Plea of non est factum filed May 8. 1869. And now, May 8 1869. this cause came on to be tried & a jury being called, came viz: twelve good and lawful men of the Western District of Pennsylvania, who having been duly summoned returned & empannelled were sworn to try the issue herein joined: and who now May 10. 1869 upon their oaths aforesaid respectively do say that they find for the United States in the sum of

Ten Thousand Dollars the penalty of the bond, to be released on payment of Four Thousand four hundred and twenty five dollars and fifty cents and so they say all. Same day Defendants pleas and answer of the court thereto filed. June 3. 1869. Bond of Henry Hunkley et al. filed. June 3, 1869. Certificate as to the sufficiency of H. & B.G. Hunkley and Peter Wilson filed. June 21. 1869. Judgment entered on verdict for $4,425 50/100 July 3. 1869. Bond filed August 5, 1869. writ of Error returnable to the Supreme Court of the U.S. and citation with service thereof on U.S. Dist Atty received & filed.

Western District of Pennsylvania, ss:

I, S.C. McCandless Clerk of the District Court of the United States for the Western District of Pennsylvania do hereby certify that a writ of error was duly

sued out and allowed returnable to the Supreme Court of the United States, at December Term 1869, on the 5th day of August A.D. 1869, in the above stated case of the The United States vs. John S. Cons, Henry Hinckley, and Peter Wilson at the instance of the defendants, and that no record of the cause has ever been taken or removed by them.

In testimony whereof I have hereunto set my hand and caused the seal of the said court to be affixed at Pittsburgh, this 16th day of Dec. 1875.

Seal

S. C. McCandless.

Clerk.

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now here moved the Court in pursuance

of the 9th Rule of this court to have this writ of error docketed & dismissed. On consideration whereof it is now here ordered and adjudged by this Court, that this writ of error from the District Court of the United States for the Western District of Pennsylvania be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said District Court to be proceeded in according to law and justice, the said writ of error notwithstanding. per Mr Chief Jus. Chase.

J. Clifton Moses et al. vs. Pltffs in Error. The Mayor &c. of Mobile. 520

Mr. S. Phillips of counsel for the defendant in error, moved the Court to dismiss the writ of error in this cause.

---

587. Edgar Marvin et al. vs. George A. Salley. | Appellants. | Mr P. Phillips of counsel for the appellee moved the court to dismiss this appeal

---

304 Alexander Hardy et al. vs. James Harbin et al. | Appellants. | The motion for a writ of certiorari in this cause was argued by Mr Edward Janin in support of the same, & by Mr A. P. Chipman in opposition thereto. Whereupon this court not being now here sufficiently advised of & concerning what order & render in the premises look time to consider.

---

405. The City of Davenport et al. vs. David Dows | Appellants. | The motion to advance this cause for argument, was submitted to the consideration of the Court by Mr Clark in behalf of Mr J. A. Rogers of counsel for the appel-

laws, - Whereupon this Court not being now here sufficiently advised of the Concerning what order to render in the premises but time to consider.

15 Wm. H. Barnes dal. pff. in error vs Phila & Reading R.R.Co
16 Same " " " " Lehigh Valley " "
17 Same " " " " Lake Sup & Mex " "
18 Same " " " " Phila & Reading " "
19 Same " " " " Harrisburgh & Lancaster
" " " " Mt Joy & Lancaster R.R.Co.
20 Same " " " " Phila & Trenton " "

On consideration of the motion of Mr Attorney General Williams, it is now here ordered by the Court that the judgments entered in these cases at this term on the 16. inst. be, and the same are hereby rescinded and annulled & that said cases be, and they are hereby ordered to be reargued on the 3rd. of February next after the cases already assigned for that day.

Proclamation being made, the Court is adjourned until Monday the 6th day of January next at Eleven o'clock.

Monday January 6 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

John G. Nicolay Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon William M. Evarts, it is ordered that John A. G. Mason Esquire of New York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

6 | Albert Bowden et al vs Joseph Alexander et al, | Appellants. | On motion of Mr. J. Wilson leave is hereby

Granted the Clerk to issue the Mandate in this cause.

---

27 | The United States. vs. Jesse Thomas, H. B. Cooper & Sam'l Watkins. | Jeffs in Error. | In error to the Circuit Court of the United States for the

Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Dissenting Mr justice Miller Swayne } Chief Mr justice Bradley.

S. W. Baker, M. S. Baker, and A. S. Baker by Thomas K. Baker their guardian as Pltfs. in Error, vs. Mary K. Hall et al.

In error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

53. George Fred. McLellan & Robert P. Dodge. vs. Appellants. Riley A. Shinn, Thomas P. Morgan, George Rhinehart & Edwin G. Comstock.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

73.	Robert H. Montgomery vs. Appellant. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr Justice Strong.

75	The United States vs. Plffs. in Error. Samuel H. Bennett, R. R. Carpenter, R. P. Hutchins & M. Clark	In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

Ohio, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the Opinion of this Court.

per Mr Justice Strong.

---

79. The United States. Pltffs in error. vs Samuel A. Bennett, R. R. Carpenter, R. P. Hutchins & M. Clark

In error to the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by

Counsel On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Strong.

80. The United States vs. Piffs in error. William H. Crane. Asa P. Hutchins, A. L. Chaffee, and Wm. M. Chaffee.

In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued

by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr. Justice Strong.

	The United States	In error to the
81.	vs. Pltffs in Error,	Circuit Court
	William H. Crane,	of the United
	Rue P. Hutchins,	States for the
	S. S. Chaffee, and	Southern Dis-
	Daniel D. Wells.	trict of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued

by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

Per Mr Justice Strong.

John T. Pierce, and Charles Williams. vs. H. Pffs in Error. James Carskadon. | In error to the Supreme Court of Appeals of the State of West Virginia

23.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and

was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Field.

Dissenting.

Mr Justice Bradley.

---

30. The United States, Plff in Error, vs. John A. Van Duzen & Con Cummins and Philip Keany. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby Reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Field.

J. M. Hutchins.
1135 vs. In Error.
S. F. Low. H. H. Haviland, C. Whiting, Wm. Ashburner, A. H. Raymond. E. S. Holden, Hiram Tracy, George H. Coulter, Galen H. Clark Commissioners &c.

In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

---

111. The United States, Appellants, vs. Albert John Griffin, Jas. E. Hard et al. | Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York.

and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the United States.

per Mr Justice Miller.

William H. Kimball, & Gustavus G. S. Trask K. vs James J. West. } Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Districts of Missouri, and was argued by counsel. On consid-

cation whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. and that this cause be, & the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri. —

per Mr Justice Miller.

---

24. Charles P. Lynde vs Pltff. in Error. The County of Winnebago. | In error to the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged

ing this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a judgment in favor of the plaintiff in error.

Dissenting — per Mr Justice Swayne
Mr Jus. Field
" Ch. " Chase
" Jus. Miller

---

111. James C. Voorhees assignee of J. N. Bonsteel vs. J. N. & Sophia H. Bonsteel. Appellants. | Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of New York, and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford

Charles G. Miller, H. S. Miller, Isaac Hills, Levi A. Ward, Vincent M. Smith, A. O. Comstock, David R. Morse, H. C. Fisk, and G Cameron.

46. vs. Pltffs in Error.

The People of the State of New York.

In error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel On consideration whereof, it is now here ordered & adjudged

by this court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Dissenting. per Mr Justice Clifford.
Mr Jus. Strong.
" " Field.

J. H. Garnhart, R. F. Hall, and H. J. Ruggles, as J. H. Garnhart & Co. vs. The United States.

In error to the District Court of the United States, for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said District Court in this

cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said District Court with directions to grant leave to the claimants to answer, and to award a venire facias de novo.

per Mr Justice Clifford.

304. Alexander Hardy et al. vs Appellants. James Harbin et al. | Mr Edward Jamison of counsel for the appellees having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

"That in sending up the transcript, the Clerk of the Circuit Court of the United States for the District of California has omitted the following testimony and exhibits, to wit:

Five (5) written volumes now on file in the said Circuit Court, and marked respectively "Circuit Court United States Hardy & ors, vs. Harbin & ors - Testimony Vol I. "Circuit Court United States, Hardy & ors vs. Harbin & Ors. Testimony Vol II. "Circuit Court United States, Hardy & Ors. vs. Harbin & ors. Testimony Vol III. - "Testimony in the case of Hardy vs Harbin U.S. Circuit Court Sept 19, 1868, Vol IV. "Testimony in the case of Hardy vs. Harbin U.S Circuit Court Hoffman Judge. Vol V. each volume endorsed filed this 11th Nov. 72, as of Aug. 9. 1869 per order of Ogden Hoffman Judge, - L. S. S. Sawyer, Clerk, - Also two letters marked & which is O. H. 1 and 2" - Five other letters marked respectively A B. C. D. E. & endorsed filed this 11th November 1872. as of August 9. 1869, per order of Ogden Hoffman Judge - L. S. S. Sawyer - Clerk."

By reason of which omissions & errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the judges of the Circuit Court of the United States for the District of California, commanding them that searching the records and proceedings of said Court in the cause, they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered adjudged & decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the judges of the Circuit Court of the United States for the District of California commanding them that, searching the records and proceedings aforesaid they forthwith certify

to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same, with the said writ of certiorari forthwith to this Court.

per Mr. Chief Justice Chase.

Horatio M. Jones
Assignee of Jacob Frischle.
59 vs. Appellant.
Jacob Frischle Jr.

Appeal from the Circuit Court of the United States for the Districts of Missouri -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed for the want of

jurisdiction - And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri -

per Mr Chief Jus. Chase.

	E. Tower adm.r of Jas. E. Williams, deed. vs. Piffin	In error to the Supreme Court of the State of Texas.
75.	Elias Keach, & E. M. Patrick	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per. Mr Chf. Justice Chase.

405. The City of Davenport et al. vs. David Dows. Appellants. | On consideration of the motion of Mr Rogers to advance this cause on the docket, and assign a day for argument, it is now here ordered by the Court that said motion be, and the same is hereby denied. —

---

92. H. D. Taylor et al, vs. Ryan in Error, &c. | The argument of this cause was commenced by Mr M. H. Seymour of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 7. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Wm. M. Evarts, it is ordered that George H. Miller Esquire of Albany State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

405. The City of Davenport &al. vs. David Daws. Appellants. | On consideration of the motion of Mr Rogers to advance this cause on the docket, and assign a day for argument, it is now here ordered by the Court that said motion be, and the same is hereby denied. -

---

52. N. D. Taylor et al, vs. Henry G. Tainter, trust. Plff in Error. | The argument of this cause was commenced by Mr M. H. Seymour of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 7. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Wm. M. Evarts, it is ordered that George H. Miller Esquire of Albany State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Wm. M. Merrick it is ordered that Jacob C. Baker Esquire of St Louis State of Missouri be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

The Home Insurance Co.	On motion
61. vs Plff in Error,	of Mr. S.
Solomon Hirschberger dcd.	Trumbull
	leave is

hereby granted the Clerk to issue the Mandate in this cause.

The Chicago Burlington	On motion
& Quincy R. R. Co.	of Mr J. D.
584. vs Plaintiffs.	McPherson
The County of Cloe.	leave is hereby

granted him to file the resolution of the Board of Commissioners of Cloe County revoking the appointment of G. B. Schofield their attorney.

Daniel Hickey	Mr. S. J. Durand
625. vs. Plff. in Error	of counsel for the
Eliza W. Latham	defendant in error

having filed and read in open court the following

"United States Circuit Court -
Fifth Circuit District of Louisiana.
Clerks Office,

I, Francis A. Wolfley,
Clerk of the Circuit Court of the United
States fifth Circuit, district of
Louisiana, do hereby certify that
in the case of Eliza H Latham
vs Daniel Hickey No 6369 of the
docket of said Court, Judgment
was rendered March 9. 1872.
And signed on the 14 March 1872
(a duly certified copy of which
judgment is hereto annexed, and
made part of this certificate) and
that on the 23rd day of March 1872
a writ of error to the Supreme Court
of the United States was allowed
to the said Daniel Hickey, returnable on the first Monday
of December 1872.

In testimony where of
I hereunto subscribe
my name & affix
the seal of said

court at New Orleans this 23rd
day of December A.D. 1872.

E. H. Hadley
Clerk

Circuit Court of the United States
Fifth Circuit, District of Louisiana
November Term 1871.
New Orleans Saturday, March 9. 1872.
Court met pursuant to adjournment.
Present Hon E. H. Durell Dist Judge.

Eliza W. Latham
vs.
Daniel Hickey
} No 6369.

By reason
of the verdict, and in accordance
therewith - It is ordered adjudged
and decreed that the plaintiff,
Eliza W. Latham, wife of Woodville
Latham and by him duly assisted,
do have and recover from the de-
fendant Daniel Hickey the sum
of twenty-one thousand & twenty
dollars 11/3 cents, with 8% interest

in $1800 from 20th October 1859. &
on $3.020, 11/3 from 9th August 1861.
till paid and costs of suit, subject
to the following credits to wit,
1st $800. to take effect from 1st March 1862.
2nd $1000 " " " " 1st Nov. 1863.
3rd $500 " " " " 21st Oct. 1865.
4th $500 " " " " 6 Dec. 1865
5th $650 " " " " 31st May 1866.
with 8% interest on these several
amounts from their respective
dates of payment.

It is further ordered and
decreed that for the satisfaction
of this judgment, the plaintiff, spe-
cial mortgage and vendors privi-
lege be recognized upon the
property described in the act
under private signature passed
between the plaintiff and the
defendant, on 9th April 1861,
acknowledged on the 1st Febru-
ary 1866, before the Recorder of
the Parish of West Baton Rouge,
and recorded in this office

1st June 1870. as appears from the original on file made part hereof.

Judgment rendered March 9. 1872.

Judgment signed March 14. 1872.

Signed E. H. Durell

Judge."

Clerks Office.

I certify the foregoing to be a true copy from the original record in this office.

Witness my hand & seal of said court at the City of New Orleans, this 23rd day of December, 1872.

Seal

F. A. Hoffey.

Clerk."

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of error - now here moved the Court in pursuance of the 9th rule of this Court, to have this writ of error docketed

and dismissed. On consideration whereof, it is now here ordered and adjudged by this court that this writ of error from the Circuit Court of the United States for the District of Louisiana be and the same is hereby docketed and dismissed with costs — And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.

per Mr Chief Jus. Chase.

---

68. Charles G. Scott et al Ex'rs vs John Eaton et al Plffs in Error. | This cause was sub-

mitted to the consideration of the Court on the record & printed arguments by Mr A. H. Garland of counsel for the plaintiffs in error, and by Mr

W. M. Rose of counsel for the defendants in error.

---

82. William F. Taylor et al. vs Pitts in Error. Henry G. Taylor, Treas. &c. | The argument of this cause was continued by Mr M. W. Seymour of counsel for the plaintiffs in error, by Mr Sidney S. Sandsley and Mr Nelson S. White for the defendant in error, and concluded by Mr Wm F. Taylor for the plaintiffs in Error.

---

83. Mary Walker et al. vs. Pitts in Error. Fram Henshaw et al. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr J. P Usher and Mr H. J Ellis of counsel for the plaintiffs in error and by Mr Thacher and Mr Banks for the defts in error.

84	George T. Scall dal. vs. Piffs in error. The Territory of New Mexico a rel W. H. Griffin.	The argument of this cause was commenced by

Mr W. M. Evarts of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday January 8. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller,
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

George T. Beall et al. Pffs in Error.
vs
The Territory of New Mexico, & ed W. W. Griffin

The argument of this cause was continued by Mr Evarts for the plaintiff in error, by Mr W. H. Maclaraland & Mr L. P. Bland of counsel for the defendant in error and concluded by Mr Evarts

for the plaintiff in error

85. Edward Harwood et al. vs The Cent. R. Chicago. Air Line Railroad Company. Appellants. | This Cause was sub mitted to the consideration of the court on the record and printed arguments by Mr T. A. Hendricks of counsel for the appellants and by McDonald & Roache for the appellees.

87. Wm. H. Rogers vs The People of the Territory of Montana & al Jas L. Fisk. Plff in Errr | Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

88. The Portland Company vs The United States. Appellant | This cause was sub. mitted to the cou-

sideration of the court on the record and printed argument by Mr Asst. Attorney General Hill of counsel for the appellees.

The Washington & Geo Town Railroad Company. vs Plffs. in Error.
Oliver Gladmon by his next friend B. K. Gladmon

The argument of this cause was commenced by Mr Joseph H. Bradley jr of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until to-morrow morning at Eleven o'clock.

Thursday January 9. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Hon John Ritchie of Frederick State of Maryland be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that Walter B. Scates Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

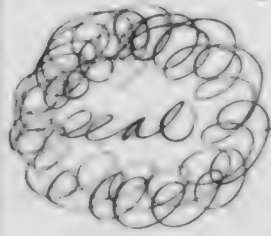
The Honorable Ward Hunt, appeared and produced the following Letters Patent & oath of office

Ulysses S. Grant
President of the United States of America
To all who shall see these Presents -
Greeting:

Know ye that, reposing special trust & confidence in the wisdom uprightness and Learning of Ward Hunt, I have nominated and by and with the advice and consent of the Senate do appoint him to be an Associate justice of the

Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States, and to have and to hold the said office with all the powers privileges & emoluments to the same of right appertaining unto him the said Ward Hunt during his good behavior.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.



Given under my hand, at the City of Washington, the Eleventh day of December, in the year of our Lord, one thousand eight hundred and seventy-two & of the independence of the United States of America

the ninety-seventh.

U. S. Grant -

By the President
Hamilton Fish
Secretary of State.

I Ward Hunt do solemnly
that I will administer justice without respect
to persons, and do equal right
to the poor and to the rich, and
that I will faithfully and im-
partially discharge and perform
all the duties incumbent on me
as an Associate justice of the
Supreme Court of the United States
according to the best of my abilities
and understanding, agreeably to
the Constitution and laws of the
United States.

So help me God.

I Ward Hunt do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof, that I have voluntarily given no aid countenance counsel or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or Constitution, within the United States hostile or inimical thereto. And I do further swear or affirm) that to the best of my Knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true

faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion.

Ward Hunt.

Subscribed and Sworn to before me, this ninth day of January A.D. 1873.

S. P. Chase.
Chief Justice, United States.

---

89. The Washington and Georgetown Railroad Co. vs. Pelf in Error. Oliver Gladmon by his

The argument of this Cause was continued by Mr J. H. Bradley junior of counsel for the plaintiff in error, by Mr M. F. Mullingly, and Mr R. T. Merrick, of counsel for the defendant in error, and concluded by Mr Joseph H. Bradley Senior of counsel for the plaintiff in error.

---

faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion.

Ward Hunt.

Subscribed and sworne to before me, this ninth day of January A.D. 1873.

S. P. Chase.
Chief Justice, United States.

The Washington and Georgetown Railroad Co. } No. 89. vs. Plff. in Error. Oliver Gladmon by his

The argument of this cause was continued by Mr. J. H. Bradley junior of counsel for the plaintiff in error, by Mr W. F. Mattingly, and Mr R. T. Merrick, of counsel for the defendant in error, and concluded by Mr Joseph H. Bradley Senior of counsel for the plaintiff in error.

VOL

3

LUME

Thursday January 9

George D. Erskine
Coll.r Int. Rev. &c.
47. vs. Effin Error.
Jea J. Van Arsdale et al.

to issue the Mandate
Cause.

John H. Hemmeon
90. vs. Appeal
The Board of Supervi
of Wayne County.

of Mr Robinson of co
appellee passed until
next the 13th instan

John H. Hemmeon
91. vs. Appeal
The Board of Supervi
of Wayne County.

of the appellants mo
and moved the Court
to file the appearan

1873. Continued.

On motion of Mr R. J. Merrick, Comr is hereby granted to the Clerk

ate in this

tetal. | On motion of Mr S. Trumbull in behalf

ants. | Mr Scates suggested the death of Austin Myers one

nsors

unsel for the ie Monday

et.

this cause t for leave nce of Mrs

Maria J. Myers Executrix of the said Austen Myers deceased, as one of the appellants in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of the said Mrs Maria J. Meyers executrix as aforesaid, be entered and she is hereby made a party appellant in this cause with liberty to prosecute this appeal.

---

92. The Commercial Bank of Rochester vs. Pliffs in Error. The City of Rochester.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Theodore Bacon of Counsel for the plaintiffs in error, and by Mr George H. Miller for the defendant in Error.

John S. Williams Collector &c.
93 vs. Pfff in error
Wm F. Reynolds agent, and trustee

This cause was submitted to the consideration of the court, on the record and printed arguments by Mr Assistant Attorney General Hill of counsel for the plaintiff in error, and by Messrs McDavid and Roache for the defendant in error.

Wm. Dickinson Ext.
94. vs. Pfff in Error.
The Planters Bank of Tennessee.

This cause was argued by Mr Reverdy Johnson of counsel for the plaintiff in error, and by Mr Conway Robinson of counsel for the defendant in error.

Benajah W. Hiatt et ux. vs. Edward S. Brown. And Edward S. Brown vs. Benajah W. Hiatt.

These causes were argued by Mr Robinson of Counsel for Brown and submitted on printed argument by Mr A.G. Riddle for Hiatt et ux.

The First National Bank of Alexandria vs. Peff in Error. Alex. M. Turnbull et al.

The argument of this cause was commenced by Mr H.O. Claughton of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 10. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P Phillips it is ordered that Charles E. Hovey Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr George H. Sanahan, it is ordered that Hon. John Hancock of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

66. Benjamin H. Zellner vs Appellant, The United States. | On motion of Mr A.G. Riddle leave is hereby granted the Clerk to issue the Mandate in this cause.

---

97. Manuel Diaz vs Appellant The United States. | On motion of Mr Assistant Attorney General Hill, it is ordered that this cause be passed to be submitted under the 20th rule.

---

99. Jean M. Lafeyre vs Appellant The United States. | Mr C.E. Hovey of counsel for the appellant,

suggested the death of Jean Bte. Lapeyre the appellant in this cause and moved the Court for leave to file the appearance of Angelique A. Lapeyre, widow and tutrix of minor heirs of the said J. M. Lapeyre deceased, as the appellant in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of the said A. A. Lapeyre widow &c as aforesaid be entered and she is hereby made appellant in this cause, with liberty to prosecute this appeal.

The First National Bank of Alexandria vs. Plff in Error, Alexander Turnbull et al

The argument of this cause was continued by Mr Claughton of counsel for the plaintiff in error; by Mr F. L. Smith of counsel for the defendants in error, & concluded by Mr

Slaughter for the plaintiff in error.

---

111. The United States vs James M. Provine. Appellants.

Mr S. J. D. Fuller of counsel for the appellee suggested the death of James M. Provine the appellee in this cause and moved the court for leave to file the appearance of J. J Ammonette Administrator of the said J. M. Provine deceased as the appellee in this cause - On consideration whereof, it is now here ordered by the court that the appearance of the said J. J. Ammonette administrator of the said J. M. Provine as aforesaid be entered nunc pro tunc as of the 20th December 1872, and he is hereby made the party appellee in this cause with liberty to resist this appeal.

114	The United States vs James M. Provine	Appellants	On motion of Mr Fuller Leave is hereby granted the Clerk to issue the mandate in this cause.

98	C. S. Buchanan et al. vs G. L. Smith Assignee &c.	Appellants	The argument of this Cause was commenced by Mr Thomas M. North of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock

---

Monday January 13. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices -

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that S B Elkins Esquire of Santa Fe New Mexico, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. J. Durant it is ordered that Edward Hartley Esquire of New York City, be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James H. Carlisle it is ordered that William Pasker Prentice Esquire of New York City, be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr Truman Smith, it is ordered that, Cephas Brainard Esquire of New York City be admitted to practice as an attorney and Counsellor, of this Court, and he was sworn accordingly.

Eugene L. Allen and Alexander Street.	Appeal from the Court of Claims -
65. vs. Appellants	
The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr justice Field -

The United States	Appeal from the Court of Claims.
241. vs Appellants,	
John Spicer.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here

ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the United States.

per Mr Justice Miller

The United States		
523 vs Appellants		
Samuel S. Smoot,		
and		Appeals from the Court of Claims.
Samuel S. Smoot		
524 vs Appellant		
The United States.		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by

this court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the United States.

per Mr Justice Miller.

35. The United States vs Thomas N. Kelly. | Appeal from the Court of Claims-

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed-

per Mr Chief Justice Chase-

192. Henry Bidwell and Miles Taylor, Executors of Hen.r Norton deceasd. vs Plffs in Error. David Jamison. | In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

98. Coe S. Buchanan et al. vs. G. S. Smith, assignee &c. | Appellants

The argument of this cause was concluded by Mr T. M. North of counsel for the appellants, and submitted by Mr R. S. Hale of

this court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the United States.

per Mr Justice Miller.

---

35. The United States vs Thomas N. Kelly. | Appeal from the Court of Claims-

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed-

per Mr Chief Justice Chase-

Henry Bidwell and Miles Taylor, Executors of Alex.r Norton deceasd. vs Plffs in Error. David Jamison.	In error to the Supreme Court of the State of Louisiana

192.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase

Coe S. Buchanan et al. vs Appellants G. L. Smith, assignee &c.	The argument of this cause was concluded by Mr T. M. North of counsel for the appellants, and submitted by Mr R. S Hale of

98.

Counsel for the appellee.

---

579. The Central Pacific Railroad Company of California ... Plff. in error. vs The People of the State of California

The argument of this cause was commenced by Mr John D. McPherson of Counsel for the plaintiff in Error; and continued by Mr J. S. Love, Attorney General of California for the defendant in error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 14. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Haskell Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Hon S. S. Cox it is ordered that A. J. MacIntyre Esquire of Thomasville State of Georgia, be admitted to practice as an attorney and counsellor of this court, & he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. T. Crittenden it is ordered that Charles E. Hillson Esquire of Rawlins Springs, Wyoming Territory be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr P. Phillips, it is ordered that C. W. Rapier Esquire of Mobile State of Alabama, be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Hon. Geo. F. Hoar, it is ordered that George A. Jordan Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

579. The Central Pacific Railroad Company of California vs. Plff. in Error
The People of the State of California.

The argument of this cause was concluded by Mr. J. McCarthy of counsel for the plaintiff in error.

---

90. John H. Kennett et al. vs. Appellants
Board of Supervisors of Wayne County

This cause was argued by Mr. M. B. Scates of counsel for the appellants, and submitted on printed arguments by Mr. J. C. Robinson of counsel for the appellees.

J. M. Lafayette's widow and executrix
19. vs. Appellant
The United States

This cause was argued by Mr. C. E. Hovey of counsel for the appellant, and submitted on printed argument by Mr. Attorney General.

Williams of counsel for the appellees.

100.	Charles Morgan vs. John Parham	Plff. in Error	The argument of this cause was commenced by Mr. P. Phillips of counsel for the plaintiff in error, and continued by Mr. Rapier of counsel for the defendant in error.

Proclamation being made the court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday January 15. 1873.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. H. H. Boyce, it is ordered that Theodore G. Barker, Esquire of Charleston State of South Carolina be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Caleb Cushing, it is ordered that C. M. Conrad Esquire, of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

100. Charles Morgan vs. Plff. in Error / John Parham. | The argument of this cause was continued by Mr. C. W. Rapier of counsel for the defendant in error and concluded by Mr. P. Phillips of counsel for the defendant in error.

---

101. The New York Central Railroad Company vs. Plff. in Error / Charles C. Lockwood. | The argument of this cause was commenced by Mr. J. K. Strong of counsel for the plaintiff in error and continued by Mr. Truman Smith of counsel for the defendant in error.

Proclamation being made the court is adjourned until

Thursday January 16. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice

Associate Justices

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Solicitor General Phillips it is ordered that Anderson P. Searcy Esquire, of Cadiz, State of Ohio, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

101. The New York Central Railroad Company vs. Pltff. in Error Charles C. Lockwood

The argument of this cause was commenced by Mr. C. Bradford of counsel for the defendant in error and concluded by Mr. T. R. Strong of counsel for the plaintiff in error.

---

102. George W. Brown vs. Appellant Rufus B. Guild Executor, et al. and George W. Brown 102 vs. Appellant James Selby et al

On motion of Mr. Harding four hours on each side are allowed counsel in the argument of these cases.

---

102. George W. Brown vs. Appellant R. B. Guild Executor et al. and George W. Brown 103. vs. Appellant James Selby et al.

The argument of these cases was commenced by Mr. George Harding of counsel for the appellant and continued

by Mr. S. S. Fisher of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 17. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. H. Boyce, it is ordered that A. G. Magrath, Esquire of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. T. Otis it is ordered that B. M. Estes and William L. Scott Esquires of Memphis State of Tennessee be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Harrison it is ordered that Archibald J. Simpson Esquire, of Sedalia, State of Missouri, be admitted to practice as an attorney and counseller of this Court and he was sworn accordingly.

Benoni E. Gardner
133 of 1871. vs. Appellant
The Goodyear Dental
Vulcanite Company et al

Mr. Blake presented and asked leave to file answer to motion to dismiss the appeal in this cause and commenced the argument in support of the motion filed on a prior day, to wit: on the 29th. of October 1872, for an order

directing the testimony in relation to the matters charged on the motion to dismiss the appeal, be taken by oral examination before a special Examiner, which was continued by Mr. Henry Baldwin in opposition thereto, and concluded by Mr. Blake in behalf of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

120. The Norwich & Worcester Railroad Company vs. Plff. in Error Charles Johnson

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. George Pratt in favor of the same and by Mr. J. Halsey in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

452. The Dubuque & Sioux City R.R.Co. et al's. vs. Pltfs. in Error Alfred N. Richmond and John Jackson

The motions to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Hall Smith in support of the same and by Mr. James F. Wilson in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

---

485. Henry B. Merrill et al. vs. Appellants. John W. Selby et al

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr. F. S. Wilson in support of the same and by Mr. R.N. Huntley in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

630. Washington Ford Plff. in Error -vs- James Surget

Mr. George Taylor of counsel for the defendant in error having filed, and read in open court the following certificate to wit;

"

The State of Mississippi
Supreme Court.

I James M. McKee Clerk of the Supreme Court of the State of Mississippi do hereby certify that the cause lately pending in our Supreme Court of the State of Mississippi, wherein Washington Ford was plaintiff in Error, and James Surget defendant in error - On writ of error from the Circuit Court of Adams County, was duly submitted to said Supreme Court on arguments and briefs, and that afterwards to wit; on the 18th day of March A.D. 1872, the judgment rendered in this cause in the Circuit of Adams County was affirmed, and judgment entered here against said

plaintiff in error, Washington Ford, for the costs of suit in Supreme Court.

And afterwards a writ of error was issued out of the Supreme Court Court of the United States directed to the Clerk of the Supreme Court of Mississippi, which writ of error was returned by me together with a transcript of the record in the above stated cause on the 26th day of November A.D. 1872 by mailing it post paid and directed to the Clerk of the Supreme Court of the United States, Washington D.C.

Seal

Thus 21st December A.D. 1872.

Jas M. McKee
Clerk"

I J. Farrell, as Judge of the Supreme Court of the State of Mississippi, do hereby certify James M. McKee whose signature is appended to the above certificate, is the duly appointed and qualified Clerk of said Supreme Court and that the above certificate is in due forms.

J. Tarbell
Judge Sup. Court
Va.

and having stated that the plaintiff in error had failed to file the record of said cause in this court, or in any way to prosecute said writ of error, now here moves the Court in pursuance of the 9th Rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this writ of error from the Supreme Court of the State of Mississippi, be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said writ of error notwithstanding.

Per Mr. Chief Justice Chase

George H. Brown
102. vs. Appellant
Rufus B. Guild
Executor et al.
and
George H. Brown
103. vs. Appellant
James Selby et al.

The argument of these causes was continued by Mr. J. S. Fisher and Mr. J. H. Roberts of counsel for the appellees.

Proclamation being made the court is adjourned until Monday morning next at Eleven O'clock.

Monday January 20. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

Associate Justices:
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. J. Durant it is ordered that Duniton Cowing Esquire, of Cincinnatti State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Wm. K. S. Wallach it is ordered that James G. Payne Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. Caleb Cushing it is ordered that Stevenson P. Hall Esquire of Toledo State of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

89. The Washington and Georgetown R.R. Co. vs. Plffs. in Error Oliver Gladmon by his next friend B. K. Gladmon. | In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration

whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the District of Columbia.

Per Mr. Justice Hunt.

37. The National Bank of the Metropolis vs. James C. Hennidy, receiver of the Merchants National Bank.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with

costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the District of Columbia.

Per Mr. Justice Bradley.

Williams Dickinson Executor of Wm. Dickinson deceased. Plff. in Error. vs. The Planters Bank of Tennessee.

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Strong.

92. The Commercial Bank of Rochester vs. Plaintiff in Error. The City of Rochester. | In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Miller.

93. John S. Williams, Collector of Internal Revenue vs. Plff. in Error. Wm. F. Reynolds, agent & trustee of the Lafayette and Indianapolis R.R.Co. | In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the suit for the want of jurisdiction.

Per Mr. Justice Clifford.

Charles G. Scott, John S. Bostick & S. L. Griffith as Executors of Philip Pennywit deceased

vs. Plaintiffs in Error.

John Eaton & William H. Betterton late partners as Eaton and Betterton

In error to the Supreme Court of the State of Arkansas.

68.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and damages at the rate of ten per cent. in addition to interest from the date of the judgment below, until paid, at the same rate per annum that similar judgments bear in the courts of the State of Arkansas.

per Mr. Chief Justice Chase

88. The Portland Company vs. The United States | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal be, and the

same is hereby dismissed.

per Mr. Chief Justice Chase.

Emile Marquez, Williams
W. Masters, junior, and Alexis
Bonneraze, as E. Marquez
& Company.

207. vs. Plaintiffs in Error
S. Bloom, S. Kahn, A. Levi,
& S. Adler, as Bloom Kahn & Co.

In error to the
Supreme Court
of the State of
Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

Benoni E. Gardner
133 of 1871. vs. Appellant
The Goodyear Dental
Vulcanite Co.

Mr. C. F. Blake filed answer to the motion to dismiss this appeal - also letter from Mr. B. R. Curtis in relation to said cause.

Reuben Tomlinson et al.
125. vs. Appellants
Morris K. Jessup.

Reuben Tomlinson et al.
126. vs. Appellants
Thomas Branch et al

The City Council of Charleston
234 vs. Appellants
Morris K. Jessup
and
The City Council of Charleston et al.
235. vs. Appellants
Thomas Branch et al.

Mr. P. Phillips moved the court to advance these cases on the docket and assign a day for the argument of the same - Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

Monday January 20. 1873. Continued.

George N. Brown 102. vs Appellant Rufus B. Guild Exr. et al. and George N. Brown 103. vs. Appellant James Selby et al.	The argument of these causes was concluded by Mr. George Harding of counsel for the appellants.

William Smith 104. vs. Plff. in Error. Jas. M. Adeit et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Burgess of counsel for the plaintiff in error, and by Mr. George Payson for the defendants in error.

The United States 105. vs. Plaintiffs C. N. Stafford.	This cause was argued by Mr. Solicitor Genl. Phillips of counsel for the plaintiffs - No counsel appearing for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 21. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. M. Blair, it is ordered that Albert C. Middlecombe Esquire, of Boonville, State of Missouri, and A.W. Parker Esquire of Claremont, State of New Hampshire, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. F. Chamberlain it is ordered that A. P. Hyde Esquire, of Hartford State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Benoni E. Gardner
133 of 1871. vs. Appellant
The Goodyear Dental Vulcanite Company.

On application of S. S. White by his counsel to set aside the decree entered in this cause, and to dismiss the appeal. It is now here ordered by the court, on reading the answer of the respondents, that the counsel of said respondents will be heard on Friday the 24th inst. to show cause why said decree should not be set aside, and the appeal dismissed, upon the admissions contained in the 9th clause of said answer.

106.	Thomas Murdock & et al. vs. Plffs. in Error Mayor & Aldermen of Memphis.	This cause was argued by Mr. W. L. Scott and Mr. J. B. Heiskell of counsel for the plaintiffs in error, and by Mr. W. T. Otts and Mr. B. M. Estes of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 22. 1873

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salomon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Charles Donohue, it is ordered that Saunders Douglass, Esquire of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. L. Trumbull, it is ordered that Thomas G. Allen, Esquire of St Louis State of Missouri, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

360. The United States vs. Appellants / The Steam Ferry Boat "Nuestra Senora De Regla" &c.

This cause was argued by Mr. Attorney General Williams and Mr. Assistant Attorney General Hill of counsel for the appellants and by Mr. C. Donohue and Mr. N. McEvers of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Thursday January 23. 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Ensley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. James Grant, it is ordered that D. K. Tenney, Esquire, of Chicago State of Illinois, and Thomas F. Fenton Esquire, of Leavenworth, State of Kansas, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

The Holyoke Water Power Company
112. vs. Plffs. in Error
Theo. Lyman et al. Commissioners &c.

This cause was argued by Mr. F. Chamberlin of counsel for the plaintiffs in error and by Mr. C. R. Train, Attorney General of Massachusetts of counsel for the defendants in error.

The Michigan Central R.R. Co.
107 vs. Plff. in Error
The Mineral Springs Manufacturing Co.

The argument of this cause was commenced by Mr. F. Chamberlin of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'clock.

Friday January 24th. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that D. T. Corbin Esquire of Charleston State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Otto, it is ordered that

J. G. Mohler Esquire, of Salina State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Hugh Carlisle et al. vs. The United States | Appellants

270. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Carlisle and Mr. McPherson of counsel for the appellants and by Mr. Assistant Attorney General Hill of counsel for the appellee on the record without argument.

Samuel V. Morgan et al. vs. Pltffs. in Error Frederick A. Fritton | The motion to dismiss this cause was submitted to the consideration

553. of the Court on printed arguments by Mr. James H. Parsons in support thereof and by Mr. S. F. Durant in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Friday January 24. 1873. continued.

Benoni E. Gardner 133 & 134. vs. Appellant The Goodyear Dental Vulcanite Company.	On motion of Mr. Causten Browne the argument of the 4th. clause of the answer of

the respondents to the motion to set aside the decree and dismiss the appeal in this cause was postponed for the present.

The Michigan Central Railroad Company. 107. vs. Plaintiff in Error The Mineral Springs Manufacturing Co.	The argument of this cause was continued by Mr. A. P. Hyde of counsel for the defendant in error

and concluded by Mr. F. Chamberlin of counsel for the plaintiff in error.

Frank R. Osborne, Agent &c. 91. vs. Plaintiff in Error The Mayor &c. of Mobile	The argument of this cause was commenced by Mr. C. A. Seward

of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Monday January 27. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Associate Justices:
Nathan Clifford
Noah H. Swayne
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. P. R. Strong it is ordered that William Henry Arnoux Esquire, of of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Philip Phillips, it is ordered that Daniel H. Chamberlain, Esquire

of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Edward Harwood, D. M. Marsh, Wm. L. Sampson, Samuel Boggs, Robert Hamilton, Jacob Vose, Jas. M. Price, Thomas Stevens, David Huston, John Bobs, Jas. D. Lehmer, R. M. Moore, Moses White, William Goodall, S. Hagner, J. S. Wagner and J. S. Vaeltz.

85. vs. Appellants.

The Cincinnatti and Chicago Air Line Railroad Company, John Brandt, F. Schuchardt et al

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this

Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hunt.

William C. Pickersgill, Appellant
vs.
Louis Emile Lafarge, John Bimmose, Executor, & Louisa Jones, Executrix of John Lafarge, deceased.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Davis.

11. The Mayor & Council of the City of Vicksburg ads. Charles K. Marshall Appellant.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Mississippi.

Per Mr. Justice Swayne.

William F. Taylor, Barnabas Allen, and Edward McGuire.
82. vs. Plffs. in Error.
Henry G. Taintor Treasurer of the State of Connecticut.

In error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

Dissenting:
Mr. Jus. Field.
" Miller
" Clifford

Mr. Justice Davis and Mr. Justice Hunt did not sit in this case.

98.	Coe S. Buchanan, George F. Perkins, Edward Goodwin, Jr. & Benjamin N. Buchanan Receivers &c. of the Cascade Paper Manufacturing Co. of Penn Yan. vs. Gabriel S. Smith, assignee in bankruptcy of the Cascade Paper Manufacturing Company of Penn Yan.	Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

For Mr. Justice Clifford.

Dissenting:
Mr. Justice Bradley.

The Norwich & Worcester Railroad Company.
120. vs. Plff. in Error
Charles Johnson.

Our consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Chase.

The Dubuque & Sioux City R. R. Co. et al.
452. vs. Plffs. in Error.
Alfred H. Richmond and John Jackson.

Our consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Chase.

Francis Daniels
34. vs. Appellant
Albert J. DeLeyde,
Elizabeth M. DeLeyde,
& Oliver M. Shuttleworth.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

By a divided Court

The United States
105. vs. Plaintiffs
C. W. Stafford.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Middle District of Tennessee.

Monday January 27, 1873. continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and on the points or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this Court that the question must be answered in the negative.

Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

Per Mr. Chief Justice Chase.

Francis R. Osborne, Agent &c. vs. Plff. in Error
91. The Mayor &c. of Mobile. Deft.

The argument of this cause was continued by Mr. P. Phillips of counsel for the defendant in error, and concluded by Mr. B. R. Curtis of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Tuesday January 28, 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne,
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Samuel Knox it is ordered that Otto G. A. Funkelnburg of St Louis State of Missouri be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that B. R. Forman Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

255 The Bank of New Orleans. vs. Pfeffer in Error. Margaret Cauldwell, ind'ant. | This cause was submitted to the

consideration of the Court on the record and printed arguments by Mr Wm. M. Evarts, and Mr J. H. Skelton of counsel for the plaintiff in error, and by Mr P. Phillips for the defendant in Error, under the 20th rule.

1004 Edward S. Brown vs. Appellant Laurence Kennedy & wife | This cause was submitted to the consideration of the Court

on the record and printed arguments by Mr Edward S. Brown of counsel

for the appellant, and by Messrs Stillings & Fenlon for the appellees under the 20th rule.

---

124 R. J. Humphrey et al. vs. Thomas L. B. Pegues. Appellants

125 Reuben Tomlinson et al. vs. Morris K. Jessup. Appellants

and

126 Reuben Tomlinson et al. vs Thomas Branch et al. Appellants

On motion of Mr E. & Chamberlain it is ordered by the Court that these cases be assigned for argument immediately after the argument of the cases assigned for the 3d of February next.

---

234 The City Council of Charleston et al. vs. Morris K. Jessup Appellants

235 The City Council of Charleston et al. vs. Thomas Branch et al. Appellants.

On motion of Counsel it is now here ordered

by the Court that these cases be advanced on the docket & argued with Nos. 124. 125 and 126.

---

108 Wm. B. Duncan et al. vs. Mary T. B. Jandon Appellants.
and
109 The National City Bank vs. Mary T. B. Jandon Appellant.

On motion of Mr MacFarland it is now here ordered by the Court that an additional hour and a half be allowed the Counsel on each side in the argument of these cases.

---

118 Wm. B. Duncan et al. vs. Mary T. B. Jandon Appellants
109 The National City Bank vs. Mary T. B. Jandon Appellant

These cases were argued by Mr H. H. MacFarland & Mr Ames of Counsel for the appellants & by Mr T. R. Strong of Counsel for the appellees

---

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 29. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon M. C. Kerr, it is ordered that Robert K. Elliot Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

69 The Town of Grand Chute vs. George W. Venegar. and The Town of Grand Chute vs. George W. Venegar et al. Plff in Error. Appellant

These cases were submitted to the consideration of the Court on the record & printed arguments by Mr George W Lakin of Counsel for the plaintiffs in error, and appellant, and by Mr H. L. Palmer for the defendant in error and appellees under the 20th rule.-

---

176 Ellen Mitchell et al. vs. Robert B. Hawley. Appellants.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr F. A. Brooks of Counsel for the appellants, and by Mr J. E. Maynadier for the appellee under the 20th rule.

Martin McNutt et al.
238. vs. Plffs in Error.
Asa Turner.

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Jackson Grimshaw and Mr C. H. Browning of Counsel for the plaintiffs in Error and by Messrs Skinner & Marsh for the defendant in error, under the 20th rule.

Henry Haffin et al.
525. vs. Plffs. in Error
John M. Mason Collr &c.

This cause was submitted to the consideration of the court on the record and printed arguments by Mr H. F. Averill & Mr J. H. Ashton of Counsel for the plaintiffs in Error and by Mr Asst Attorney General Hill for the defendant under the 20th rule.

Duff Green, and Benjamin E. Green. 635. vs Plffs. in Error William Bayne, & John English. use of Columbus Alexander.

Mr. T. T. Crittenden of counsel for the defendant in Error having filed and read in open court, the following

certificate to wit:

In the Supreme Court of the District of Columbia.

January 28, 1873.

William Bayne, and John English use of Columbus Alexander. vs. Duff Green and Benjamin E. Green, defendants. } At law No 6354 } Plaintiffs.

I Return J. Meigs Clerk of the Supreme Court of the District of Columbia hereby certify that, in the above entitled cause, final judgment was rendered by said Court

in General Term on the 4th of November 1872 in favor of said plaintiffs, and a writ of error to the Supreme Court of the United States was duly sued out by said defendants, and allowed on the 27 day of November 1872.

In witness whereof, I hereunto subscribe my name, and affix the seal of said Court, the day and year first aforesaid.

Seal

R. J. Meigs.
Clerk"

and having stated that the plaintiffs in Error had altogether failed to file the record of said Court in this cause or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 4th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now

here ordered and adjudged by this Court that this writ of error from the Supreme Court of the District of Columbia be, and the same is hereby dockted and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law & justice the said writ of error notwithstanding.

per Mr Chief Justice Chase.

---

110. The United States vs Patrick J. Hickey. — Appellants. | This cause was argued by Mr Solicitor General Phillips of counsel for the appellants and by Mr J. H. Moore for the appellee.

---

111. Charles R. Hamlin, assignee &c. vs Truman P. Hawkins — Appellant. | This cause was argued by Mr M. H. Carpenter of Counsel for the ap-

pellant- No counsel appearing for the appellee.

112	The City of New Orleans vs. The New York Mail Steamship Company. Appellant	Ordered by the Court that this cause be, and the same is hereby continued to the next term by agreement of Counsel.

113.	Calvin Branson etal vs. Jacob Wirth. Pltffs in Error.	This cause was argued by Mr J. Corning Judge of counsel for the plaintiffs in error, and by Hon H. C. Burch and for the defendant in Error

49.	John M. Young vs. The Steamboat "Hey City" & Barge Jim Sheets" Appellant	On motion of Mr Carpenter in behalf of Counsel for the respective parties Leave is hereby

granted the Clerk is ordered to issue the mandate in this cause.

---

114 B. Platte Carpenter vs. Mahala Dongan. Appellant

This cause was argued by Mr J. D. McPherson of counsel for the appellant, and by Messrs Barkley and Casey for the appellee.

---

115 William Mason vs. The United States. Appellant

The argument of this cause was commenced by Mr Thomas Nelson of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 30. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices,

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Thomas Wilson, it is ordered that John C. Reed Esquire of Selma State of Alabama be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

636. John B. Ramsey vs. Peff in Error. William P. Hart. | Mr S. A. Merritt of Counsel for the defendant in error having filed and read in open court the following certificate to wit;

"In the Supreme Court of Idaho Territory.
John B. Ramsey
vs. Peff in Error
Wm P. Hart.
deft in error.

I Alonzo L. Richardson do hereby certify that I am Clerk of the Supreme Court of Idaho Territory and that on the twenty-second day of January A.D. 1873, a judgment was rendered in the Supreme Court of the Territory of Idaho, affirming the judgment of the District Court of the third judicial district for the Territory of Idaho in and for the County of Ada, with Costs in the cause where-

in John B. Ramsey is plaintiff in error, in this Court, and was defendant in the Court below: and William P. Hart is defendant in error, in this Court, and was plaintiff in the Court below for the sum of one thousand and fifty-seven and 62/100 dollars gold coin, and sixty-five and 45/100 dollars, gold coin costs in said District Court. That on the second day of February A.D. 1872, a writ of error was duly sued out and allowed in said cause from the Supreme Court of the United States directed to the Chief Justice and Associate Justices of the Supreme Court of the Territory of Idaho by the said John B. Ramsey, plaintiff in error herein to reverse the judgment of the said Supreme Court of the Territory of Idaho, in said cause.

In testimony whereof I have hereunto subscribed

my name and affixed the seal of the said Supreme Court of the Territory of Idaho, this twenty-third day of November in the year of Our Lord one thousand eight hundred & seventy-two and of the Independence of these United States, the ninety seventh.

Seal

Alonzo L. Richardson
Clerk of said Supreme
Court of Idaho Territory.

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of error now here moved the Court in pursuance of the 9th Rule of this court, to have this writ of error docketed & dismissed On consideration whereof, it is now here ordered and adjudged

by this court, that this writ of error from the Supreme Court of Idaho Territory, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said writ of error notwithstanding.

per Mr Chief Justice Chase

---

115. William Mason, Appellant, vs. The United States

The argument of this cause was continued by Mr Thomas Wilson of counsel for the appellant, and submitted on printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Hill for the appellees.

Thomas C Sweeney
116. vs. Appellant
The United States.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr James Hughes of counsel for the appellant and by Mr Assistant Attorney General Hill for the appellees.

Wm H. Gaines et al.
117. vs. Pltffs in Error.
John C. Hale et al.

Ordered by the Court that this cause be, and the same is hereby postponed until Thursday the 27th inst. next.

John K. Tiffany
Surviving trustee.
118 vs. Appellant.
James H. Lucas.

The argument of this cause was commenced by Mr Samuel Knox of counsel for the appellant & continued by Mr T. D. Gantt for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 31. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
David Davis
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made & the court in this behalf by Mr Philip Phillips it is ordered that Archibald Hopkins Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Fabius J. Haywood, and his wife Martha Haywood, Executrix of Rebecca Rogers decd, Jno. J. Litchford, admr of Susan Porter decd, F. J. Haywood Jr, Joseph Haywood, Daniel G. Fowle, and his wife Mary Fowle, John P. Haywood.
638 vs. Appellants.
Obadiah Perry, and his wife Rebecca S. Perry.

Mr W. H. Battle of Counsel for the Appellees having filed & read in open Court the following certificate to wit:

"United States of America -
District of North Carolina -
Circuit Court 4th Circuit -

Be it remembered that on the 22nd day of March 1871 Obadiah Berry, and his wife Rebecca S Berry, citizens of the State of Alabama, by their Solicitors Wm. H. Battle & Sons, filed their bill in the office of our Court of Equity, in the Circuit Court of the United States,

Friday January 31. 1873 Continued.

for the District of North Carolina against Fabius J. Haywood and his wife Martha Haywood Executrix of Rebecca Rogers deceased, Jas. J. Litchford administrator of Susan Porter deceased, Fabius J. Haywood jr. Joseph Haywood, Daniel G. Fowle, and his wife Mary Fowle, and John P. Haywood which said bill of complaint is in the words & figures following to wit:

The bill of complaint is endorsed as follows "service accepted (signed) Daniel G. Fowle for D^r F. J. Haywood, Mrs. Ma. Mc. Haywood, F. J. Haywood, Joseph A. Haywood, John P. Haywood, Mary E. Fowle, Daniel G. Fowle, March 13. 1871."

"Service accepted, and facts stated admitted. J. J. Litchford Adm^r.

And May the 1^st 1871, Fabius J. Haywood and wife Martha filed their demurrer to said bill of complaint.

And on the 5th day of June 1871, it being "rule day," the following entries are made upon the docket in this cause. "Decree pro confesso has vs James J Litchford administrator of Susan Potter decd, demurrer of T. J. Haywood and wife set down for argument and case set for hearing upon the Bill and answer of the other defendants'.

And afterwards to wit. at the November Term of said Court in the City of Raleigh on the last Monday in November in the year of our Lord One thousand Eight hundred and seventy one, before the Honorable George W. Brooks judge of the District Court of the United States for the District of North Carolina presiding, Come the parties aforesaid, by their solicitors, thereupon an order is made in these words.

In the Circuit Court of the United States.

II "Circuit, District of North Carolina.

O. Berry and wife
vs
Fabius J. Haywood
& wife and others
} In Equity
Fall Term 1871

This cause coming on to be heard upon the bill of the plaintiff and the demurrer of the defendants Fabius J. Haywood and his wife as executrix & being debated by counsel on both sides it is considered by the court that the said demurrer is not sufficient in law, it is therefore ordered that it be overruled and that the said defendants answer over to the said bill. It is further ordered that the said defendants pay the costs of this order.

(Signed) G. W. Brooke
Dist Judge.

And from the foregoing decree an appeal was prayed & granted to the Supreme Court of the United States on the 20th day of December 1871.

"In the Circuit Court of the United States
11th Circuit & District of North Carolina.

I N. J. Riddick Clerk of said court do certify that the above transcript contains a true statement of the names of the parties and the different orders made in the cause and that, on the 20th day of December 1871, it being a day in the November Term 1871, of the said Court, a decree was made overruling the demurrer of the defendants Fabius J. Haywood and wife Martha Executrix of Rebecca Rogers and from said decree the said defendants duly sued out an appeal to the Supreme Court of the United States which was allowed by the Court which said appeal has not been carried up.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court this 27th day of January 1873.

seal

N. J. Riddick Clerk &c.
By Busbee. dep."

and having stated that the appellants had altogether failed to file the record of said cause in this court or in anyway to prosecute said appeal now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the District of North Carolina be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

171.	Barbara E. Hume et al. vs. Mary D. Beale Ex'x &c.	Mr J. H. Moore of counsel for the

appellants suggested the death of Barbara E. Hume one of the appellants in this cause.

171	Barbara E. Hume et al. vs. Mary D. Beale Ex'x &c.	Mr J. H. Moore of of counsel for the

appellants having suggested the death of Mary D. Beale the appellee in this cause, moved the court for an order under the 15th rule of court to make the proper representatives parties. On consideration whereof, it is now here ordered by the court that unless the proper representatives of the said Mary D. Beale deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this court, the appellee shall be entitled

to open the record in said cause and to have the same heard & the decree therein rendered reversed if erroneous - Provided that a copy of the order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks at least, sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr Chief Justice Chase

---

118. John K. Tiffany surviving trustee. vs. James H. Lucas. Appellant.

The argument of this cause was continued by Mr G. F. Gantt, of Counsel for the appellee, & concluded by Mr Samuel Knox of counsel for the appellant;

Friday January 31. 1873. Continued-

Theodore Olcott
119 vs. - Appellant
Charles Wilkes et al

The argument of this cause was commenced by Mr M. A. Graham of counsel for the appellant -

---

Proclamation being made the Court is adjourned until Monday morning next at Eleven. o'clock.

Monday February 3. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. George H. Pendleton it is ordered that Oscar F. Hunsaker, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Montgomery Blair, it is ordered that John R. Stein, Esquire, of Lafayette, State of Indiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. F. C. Brewster, it is ordered that Wayne Mac Veagh Esquire of Harrisburg, State of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. J. A. Wills, it is ordered that O. P. Stearns, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Leech,

It is ordered that George G. Symes Esquire of Helena Montana Territory be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. John A. Campbell it is ordered that C. S. Smith, Esquire of Champaign City, State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

George L. Hall, Abraham Staab, Jose Manuel Gallegos, J. Seligman, Emanuel Spiegelberg, Lehman Spiegelberg, B. Seligman, F. Chaves, M. A. Otero, Jose Leandro Perea. vs. Plaintiffs in Error
844 The Territory of New Mexico, ex relation H. W. Griffin, Administrator de bonis non of Charles S. Hinckley, deceased.

In error to the Supreme Court of the Territory of New Mexico.

Monday February 3. 1873. continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to dismiss the petition.

Per Mr. Justice Bradley.

Charles Shutte vs. Plff. in Error
Uriah Thompson

In error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by

counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Strong

Spencer Smith
200 of 1869. vs. Plff. in Error
Hamilton J. McCool.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. George F. Harding of counsel for the plaintiff in error, and by Hon J. B. Hawley for the defendant in error.

Theodore Olcott
119. vs. Appellant
Charles Wilder et al

The argument of this cause was continued by Mr. Wm. H. Battle of counsel for the appellees, and concluded by Mr. W. H. Graham of counsel for the appellant.

The Butchers Benevolent Association of New Orleans
8. vs. Plffs in Error
The C. C. L. S. Landing & Slaughter House Company.

Paul Esteben et al.
9. vs. Plffs. in Error
The State of Louisiana ex rel: S. Belden, Atty. Genl.
and
The Butchers Benevolent Association of New Orleans
10. vs. Plffs in Error
The C. C. L. S. Landing and Slaughter House Company.

On the application of counsel it is now here ordered by the Court that four hours be allowed on each side in the argument of these cases.

The Butchers Benevolent Association of New Orleans
8. vs. Plaintiffs in Error
The C. C. L. S. Landing and Slaughter House Company
Paul Esteben et al
9. vs. Plffs. in Error
The State of La. ex rel: Atty Genl.
and

The argument of these causes was commenced by Mr.

	The Butchers Benevolent Association of New Orleans.	J. A. Campbell of counsel for the plaintiffs in error.
10.	vs. Error to	
	The G. G. Live Stock Landing & Slaughter House Company.	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 4. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
David Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

Eliza J. K. M. Mahan
vs. Appellants
The United States

On motion of Mr. Quinton Corwine this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. M. Corwine and Mr. Quinton Corwine of counsel for the appellants, and Mr.

Assistant Attorney General Hill of counsel for the appellees.

---

8. The Butchers Benevolent Association of New Orleans. vs. Plffs. in Error
The Crescent City Live Stock Landing & Slaughter House Co.

9. Paul Esteben et al. vs. Plffs. in Error
The State of Louisiana ex rel: S. Wilson, Attorney General
and
The Butchers Benevolent Association of New Orleans.

10. vs. Plffs. in Error
The Crescent City Live Stock Landing & Slaughter House Co.

The argument of these cases was continued by Mr. J. A. Campbell of counsel for the plaintiffs in error, and by Mr. M. A. Carpenter and Mr. T. J. Durant of counsel for the defendants in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 5. 1873

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Stanley Esquire, Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. F. C. Brewster, it is ordered that S. H. Altman Esquire, of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. J. B. Sanborn it is ordered that William W. McClure, Esquire, of Stillwater, State of Minnesota, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Thomas F. Withrow, it is ordered that Charles C. Nourse, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

249. Donald McDonald vs. Plff. in Error, The United States of America. | In error to the Circuit Court of the United States for the Southern District of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and on the stipulation of counsel for the

respective parties on file and motion of Mr. Solicitor General Phillips, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. the plaintiff in error to pay the costs in this court, as per stipulation. And that this cause be, and the same is hereby remanded to the said Circuit Court.

Per Mr. Chief Justice Chase.

George L. Cope, one of the survivors of the late firm of Tredford, Fant & Co.	In error to the Circuit Court of the United States for the Southern District of Georgia.
303 vs. Plaintiff in Error.	
The United States.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and on the stipulation of counsel for the respective parties on file and motion of Mr. Solicitor General Phillips, it is now here ordered and

adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed the plaintiffs in error to pay the costs in this court and that this cause be, and the same is hereby remanded to the said Circuit Court.

Per Mr. Chief Justice Chase.

The Butchers Benevolent Association of New Orleans
8. vs. Plffs. in Error
The C. C. & S. Landing and Slaughter House Company.

Paul Esteben et al.
9. vs. Plffs. in Error
The State of La. ex rel: D. Belden, Atty. Genl.

and

The Butchers Benevolent Association of New Orleans
10. vs. Plaintiffs in Error
The C. C. S. S. Landing & Slaughter House Company.

The argument of these cases was concluded by Mr. J. D. A. Fellows of counsel for the plaintiffs in error.

Wednesday February 5 1873 continued.

The Philadelphia and Reading R.R. Co.
21. vs. Plff. in Error
Commonwealth of Pennsylvania.

and

The Phil. & Reading R.R. Co.
22. vs. Plff. in Error
The Commonwealth of Pennsylvania.

Ordered that the counsel be not restricted to the two hour rule in the argument of these cases.

The Phila & Reading R.R. Co.
21. vs. Plff. in Error
The Commonwealth of Pennsylvania.

and

The Phila. & Reading R.R. Co.
22. vs. Plff. in Error
The Comm'lth. of Pennsylvania

defendants in error.

The argument of these cases was commenced by Mr. R. H. Lamberton of counsel for the plaintiffs in error and continued by Lewis H. Smith of counsel for the

---

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 6. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal.
David Shirley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. J. G Sutherland, it is ordered that Charles J. Hunt Esquire of Detroit State of Michigan, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

---

21 The Phila & Reading R.R. Co. vs. Plff. in Error
Commonwealth of Pennsylvania.
and
The Phila & Reading R.R. Co. vs. Plff. in Error
Commonwealth of Pennsylvania.

The argument of these cases was continued by Mr. J. Carroll Brewster of counsel for the defendants in error, and concluded by Mr. J. E. Gowen of counsel for the plaintiffs in error.

---

30 The Erie R.R. Co. vs. Plff. in Error
The State of Pennsylvania.

The argument of this cause was commenced by Mr. J. M. Simonton of counsel for the plaintiff in error and continued by Mr. Wayne McVeagh of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday February 7, 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshall.
Daniel Ashley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. J. C. Brewster, it is ordered that William Jennison, Esquire, of Detroit, State of Michigan, and Charles B. Duffield, Esquire, of Strafford, State of Virginia, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. William Allen Butler it is ordered that Samuel A. Valentine Esquire of New York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Benoni E. Gardner
133 & 134 vs. Appellant
The Goodyear Dental Vulcanite Company

Mr. Causten Browne appeared in response to the order of this court in relation to the motion to dismiss the appeal in this cause, and read a statement, which he submitted to the consideration of the court without argument.

Donald McDonald
212 vs. Plff. in Error
The United States
and
George L. Cole Surviving &c.
303 vs. Plff. in Error
The United States

On motion of Mr J. D. McPherson leave is hereby granted the Clerk to issue the Mandates in these causes.

William Minot Jr.
248. vs. Plff. in Error
The Phil. Wil. & Balto
R.R.Co. et al.
and
W. J. Clark et al.
381. vs. Appellants
William Minot Jr.

On motion of Mr.
J. E. Brown, on
behalf of the re-
spective counsel in
these cases, it is now
here ordered by the
court that the
record be amended
by the entry of the
appearance of Geo. L. Bates as
Solicitor for the Phila. Wilmington &
Baltimore R.R.Co. one of the defendants
in the court below, and by the entry of
an order that the bill be taken pro
confesso as against the said Phil. Wil. &
Balto. R.R.Co. defendant in the bill.
The amendment to be made as if
made in the court below per stipulation
filed.

Mary V. Garner, Rosanna Garner, Catherine E. Garner, Christiana Garner, George S. Gideon & Katharine C. his wife, William G. Moore, and Mary, his wife, — Langton, & Rebecca F. his wife, Richard Wallach & Jonas C. Robbins. vs. Juliana Gideon. 642. Appellants

Mr. E. S. Stanton of counsel for the appellee having filed and read in open court, the following certificate, to wit:

Clerk's Office Supreme Court of the District of Columbia.

Mary V. Garner, Rosanna Garner, Catherine Garner, & Christiana Garner vs. George S. Gideon and wife Catherine C., Juliana Gideon, William G. Moore, and wife Mary, — Langton & wife Rebecca F., Richard Wallach and Jonas C. Robbins. } No. 1533 Eq. C.

I, R. J. Meigs, Clerk of the Supreme Court aforesaid, hereby certify, that in

this cause, on the 22nd May, 1872. the said court in General Term passed a decree-final affirming decree at Special Term, from which decree in open court, on the same day the complainants, and the defendants, to wit: Richard Wallach, Trustee, George S. Gideon, Catharine C. Gideon, William E. Moore, Mary Moore, and —— Langton, prayed and were allowed their appeal to the Supreme Court of the United States.

In testimony whereof I have hereto subscribed my name & affixed the seal of said court this 6th day of February, 1873.

Seal

R. J. Meigs
Clerk.

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged,

and decreed by this court, that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said appeal notwithstanding.

(per Mr. Chief Justice Chase.

---

358. The Kansas Pacific Railway Company vs. Plff. in Error John H. Prescott.

and

359. The Kansas Pacific Railway Company vs. Plff. in Error Charles C. Cutler

These cases were submitted to the consideration of the Court on the record and printed arguments of Mr. F. P. Fisher of counsel for the plaintiffs in error, and by Mr. J. G. Miller for the defendants in error, under the 20th rule.

	The Erie Railroad Co.	Argument of
30.	vs. Plaintiff in Error	this cause was
	The State of Pennsylvania.	continued by
		Mr. Wayne Mac

Veagh of counsel for the defendant in error, and by Mr. F. H. Stone Fairland of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until Monday morning at Eleven o'clock.

Monday February 10. 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Kelly Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. J. H. Moore, it is ordered that R. J. Russell, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

110. The United States vs. Patrick J. Kirby | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Hunt

100. Charles Morgan vs. Plff. in Error, John Parkman | Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the

said Circuit Court in this cause be and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

Per Mr. Justice Hunt.

Benajah H. Hiatt & Martha Ann Hiatt.		Appeals from the Circuit Court of the United States for the District of Kansas.
95.	vs. Appellants.	
Edward S. Brown and Edward S. Brown		
532.	vs. Appellants	
Benajah H. Hiatt & Martha Ann Hiatt.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this

Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs to the complainant. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the complainant for the amount due on the bond in suit - such amount to be made up by adding to the principal the interest due to the date of the decree, at the rate stipulated; deducting the period intervening between the 27th of April 1861, and the 2d of April 1866; and also a decree directing a sale of the mortgaged premises and the application of the proceeds to the payment of the amount found due if such amount be not paid within such reasonable period as may be prescribed by the Court.

Per Mr. Justice Field.

107. The Michigan Central Railroad Company vs. Plff. in Error
The Mineral Spring Manufacturing Company.

In error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Connecticut.

Per Mr. Justice Davis.

63. Jesse C. Williams vs. Appellant Williams S. Baker	Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Miller

Mr. Justice Davis took no part in the decision of this cause on account of supposed interest in the question. Mr. Justice Bradley did not sit on the hearing.

The Cedar Rapids and Missouri River R.R. Co. et al. 643. vs. Appellants John H. Martindale et al.	Appeal from the Circuit Court of the United States for the

District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

Mr. Justice Davis took no part in the decision of this cause on account of supposed interest in the question.
Mr Justice Bradley did not sit on the hearing.

The First National Bank of Alexandria.
vs. In Error to the Circuit Court of the United States for the Eastern District of Virginia.
H. C. Peyton, Alexander H. Turnbull, Jno. L. Turnbull, & Alexander F. Leach, as Turnbull & Co.

Monday February 10. 1873. continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a judgment of reversal - And then to remit the case to the Circuit Court for the County of Alexandria whence it came.

Per Mr. Justice Swayne.

Dissenting:
Mr. Justice Strong.

Mr. Justice Davis did not sit on the hearing of this cause and took no part in the decision.

The Holyoke Water Power Company
113. vs. Plff. in Error.
Theodore Lyman and Edward A. Brackett, Commissioners on Inland Fisheries.

In error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this court that the decree of the said Supreme Judicial Court be, and the same is hereby affirmed with costs.

Per Mr. Justice Clifford

Ex parte, In the matter of Marshall O. Roberts et al. Petitioners.
1 original.

Petition for Mandamus to the Judges of the Court of Claims.

Monday. February 10, 1873. continued.

This cause came on to be heard on the petition and return to rule, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that a writ of alternative Mandamus issue from this court, directed to the Judges of the Court of Claims commanding the said Court to proceed to hear, entertain, and decide the motion for new trial filed by the plaintiffs in a certain cause therein depending wherein Marshall O. Roberts, Horace F. Clark, and Edward N. Dickerson, trustees are plaintiffs, and The United States are defendants, No. 2,221; and also to proceed to hear, entertain, and decide the motion filed November 23d. 1872, by the plaintiffs in said cause, to correct the records of said court - returnable on the 1st. Monday in April, A. D. 1873

553. Samuel V. Mays et al. vs. Plffs. in Error / Frederick A. Fritton

On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of, as against the same it is now here ordered by the court, that said motion be, and the same is hereby denied.

---

587. Edgar Marin et al. vs. Appellants / George S. Talley

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr. P. Phillips in support of the same and by Mr. T. J. Durant in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

97. Manuel Diaz vs. Appellant / The United States

This cause was submitted to the consideration of the Court on the

record and printed arguments by Hon. S. O. Houghton of counsel for the appellant, and by Mr. Solicitor General Phillips for the appellees under the 20th rule.

---

239. St. Joseph Township vs. Plff. in Error / James Rogers

This cause was submitted to the consideration of the court on the record and printed arguments by Mr. William Lawrence of counsel for the plaintiff in error, and by Hon. N. C. Burchard for the defendant in error under the 20th rule.

---

290. D. M. Peabody, Collector &c. vs. Plff. in Error / George A. Draughn

---

291. D. M. Peabody Collector &c. vs. Plff. in Error / M. O. Mason et al

292. D. M. Peabody, Collector &c. and vs. Plff. in Error / J. C. Stark et al.

These cases were submitted to the consideration of the court on the records and printed arguments by Mr. Attorney General Williams

and Mr. Assistant Attorney General Hill of counsel for the plaintiffs in error, and by Mr. J. P. Helm and Messrs. Blair & Dick of counsel for the defendants in error - under the 20th rule.

30. The Erie R. R. Co. vs. Plff. in Error / The State of Pennsylvania. | The argument of this cause was concluded by Mr. H. St. MacFarland of counsel for the plaintiff in error.

31. The Cleveland, Painesville and Ashtabula Railroad Co. vs. Plaintiff in Error / The State of Pennsylvania.

32. The Pittsburg, Fort Wayne and Chicago Railroad Co. vs. Plaintiff in Error / The State of Pennsylvania

and

33. The Delaware, Lackawana & Western Railroad Co. vs. Plaintiff in Error / The State of Pennsylvania. | Ordered, that the counsel be not restricted to the two hour rule in the argument of these cases.

31. The Cleveland, Painesville & Ashtabula Railroad Co. vs. Plff. in Error
The State of Pennsylvania.

32. The Pittsburg, Fort Wayne & Chicago Railroad Co. vs. Plff. in Error
The State of Pennsylvania
and
The Delaware, Lackawana & Western Railroad Co. vs. Plff. in Error
The State of Pennsylvania

The argument of these cases was commenced by Mr. J. M. Simonton of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Tuesday, February 11, 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Ashley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. R. M. Corwine, it is ordered that George Morgan O'Brien, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

115. William Mason, Appellant vs. The United States | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Clifford.

Dissenting
Mr. Chief Justice Chase.

31. The Cleveland, Painesville & Ashtabula Railroad Co. vs. Plff. in Error
The State of Pennsylvania

32. The Pittsburg, Fort Wayne & Chicago Railroad Co. vs. Plff. in Error
The State of Pennsylvania.

and

33. The Delaware, Lackawana & Western Railroad Co. vs. Plff. in Error
The State of Pennsylvania.

The argument of these causes was continued by Mr. J. M. Simonton of counsel for the plaintiffs in error, by Mr. J. M. McMichin, Mr. F. Carroll Brewster, and Mr. Wayne MacVeagh, of counsel for the defendant in error, and by Mr. J. E. Gowen of counsel for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 12, 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay, Esquire, Marshal.
David Hesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Philip Phillips, it is ordered that John T. Morgan, Esquire, of Selma, State of Alabama, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States
614. vs. Appellants
Hibernia Armstrong

Mr. R. H. Corwine of counsel for the appellee having filed and read in open court the following certificate, to wit:

"In the United States Court of Claims.
December Term 1872.

Hibernia Armstrong
vs.
The United States } 3070.

Now comes the defendants by their Attorney General and asks the Court for the allowance of an appeal in this cause from the judgment of the Court of Claims rendered herein on the 6th day of May 1872, to the Supreme Court of the United States

William McMichael
Asst. Atty. Genl.

Filed in the Clerk's Office June 14. 1872

Allowed:

C. D. Drake. C. J.

A true copy of record.

In testimony whereof I have hereto set my hand and affixed the seal of the Court of Claims this 11th day of February, 1873.

Seal

John Randolph
Asst. Clerk
Court of Claims."

and having stated that the appellant has altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now hereon moved the Court, in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said Court of Claims to be proceeded in according

to law and justice the said appeal notwithstanding.

Per Mr. Chief Justice Chase.

529. J. Clifton Mossesetal. vs. Plffs. in Error. The Mayor &c. of Mobile. The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr. P. Phillips in support thereof, and by Mr. S. F. Rice, and Mr. John T. Morgan in opposition thereto. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

31. The Cleveland & Pittsburgh & Ashtabula Railroad Co. vs. Plff. in Error The State of Pennsylvania

32. The Pittsburg, Fort Wayne & Chicago Railroad Co. vs. Plff. in Error The State of Pennsylvania and

33. The Delaware Lackawanna & Western Railroad Co. vs. Plff. in Error The State of Pennsylvania.

The argument of these cases was concluded by Mr. J. C. Bullitt, of counsel for the Plaintiffs in error.

15. Wm. N. Barnes et al. Plffs. in Error vs. Phila & Reading R.R. Co.
16. " " " " " " " " " " Lehigh Valley " " "
17. " " " " " " " " " " Lake Sh & M. Sou. " " "
18. " " " " " " " " " " Phila & Reading " " "
19. " " " " " " " " " " Harrisburg, Portsmouth, Mountjoy & L. R.R. Co.
and
20. " " " " " " " " " " Phila & Trenton " " "

Ordered, that the counsel be not restricted to the two hour rule in the argument of these cases.

Wm. H. Barnes et al.
15. vs. Plffs. in Error
The Philadelphia & Reading
Railroad Company.

Same
16. vs.
Lehigh Valley R.R. Co.

Same
17. vs.
Lake Superior & Miss. R.R. Co.

Same
18. vs.
Phila. & Reading R.R. Co.

Same
19. vs.
Harrisburg, Portsmouth
Mt. Joy & Lancaster R.R. Co.
and
Same
20. vs.
The Phila. & Trenton R.R. Co.

The argument of these cases was commenced by Mr. Solicitor General Phillips of counsel for the plaintiffs in Error and continued by Mr. J. E. Gowen of counsel for the defendants in error.

Proclamation being made the Court is adjourned

Thursday February 13. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field,
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr Attorney General Williams, it is ordered that James S Norton Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court, and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. A. Richardson, it is ordered that Albert T. Sinclair Esquire of Boston, State of Massachusetts be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

The United States
Otis &c. Appellants
vs.
Hibernia Armstrong.

On motion of Mr R. M. Corwine leave is hereby granted the Clerk to issue the mandate in this cause.

15	Wm. H. Barnes et al.	vs.	Phil. & Reading R. R. Co.
16	Same	"	Lehigh Valley R. R. Co.
17	Same	"	Lake Sup. & Miss. R. R. Co.
18	Same	"	Phil. & Reading R. R. Co.
19	Same	"	Nor. Pa. Mach. & Mfg. Co. and Phil. & Trenton R. R. Co.
20	Same	"	Phil. & Trenton R. R. Co.

The argument of these cases was continued by Mr. Chapman Biddle and submitted on printed arguments by Mr. Theo. Cuyler of counsel for the defendants in error, and concluded by Mr. Attorney General Williams of counsel for the plaintiffs in Error.

The Chief Justice announced that the Court would not take up any case for argument, after the conclusion of the assigned cases until Monday the 24th instant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday February 14. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thos. Phillips it is ordered that William E. Earle Esquire of Greenville State of South Carolina be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon C. A. Potter, it is ordered that John M. Carroll Esquire of Johnstown State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. F. Sanders, it is ordered that D. B. Searle Esquire of Saint Cloud State of Minnesota be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

98.	Robert Prout vs Appellant John T. Robey	On motion of Mr Enoch Totten leave is hereby granted the Clerk to issue the mandate in this cause.

33.	The United States vs Plaintiffs Elijah R. Sapaugh	On motion of Mr Remdy Johnson and Consent

of Mr Attorney General Williams it is ordered by the court that this cause be assigned for argument on Thursday the 6th. of March next.

The United States Plffs in Error.	In Error to the Circuit Court of the United States for the District of Louisiana.
1140 vs.	
Joseph Marsteny Hugh Mc. Crooks & Samuel W. Hammond.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and on the motion of Mr Assistant Attorney General Hill of counsel for the plaintiffs in Error it is now here ordered & adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

Friday, February 14. 1873. Continued.

The United States vs. Pfts in Error. J. H. Burbridge.	In error to the Circuit Court of the United States for the

District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and on the motion of Mr Hesing, and Attorney General Hill of Counsel for the plaintiffs in error, it is now here ordered, and adjudged by this Court, that the writ of error in this cause be &c. the same is hereby dismissed.

per Mr Chf Jus Chase.

172 Henry C. Lea, Pffn in Err, vs Wm F. Leads Clk &c.
173 Wm. Sellers " " " H.G. Sickels " "
174 C.H. Clark " " " " " " " "
175 Mary E. Farnam " " " " " " " "

On motion of Mr Assistant Attorney General, Hill and consent of Mr Wm. M. Evarts, ordered by the Court that these cases be continued to the next term.

---

124 P.J. Humphrey et al. Appts vs. Thos. E. B. Pegues
125 Reuben Tomlinson et al " . Morris K. Jessup
126 " " " " " . Thos. Branch et al.
234 City Council of Charleston " . Morris K. Jessup
235 " " " " " " Thos. Branch et al.

Ordered by the Court that four hours be allowed each side in the argument of these cases.

P. J. Humphrey et al.
124 vs Appellants.
Thomas E. B. Pegues.

This cause was argued by Mr D. H. Chamberlain

Friday February 14. 1873 Continued.

of Counsel for the appellants, and by Mr T. G. Barker for the appellee.

---

125. Reuben Tomlinson et al. vs. Morris K. Jessup. Appellants

and

234. The City Council of Charleston et al. vs. Morris K. Jessup. Appellants

The argument of these cases was commenced by Mr D. T. Corbin of Counsel for the appellants, continued by Mr T. G. Barker of Counsel for the appellees, & concluded by Mr D. H. Chamberlain of Counsel for the appellants.

---

110. The United States vs. Patrick J. Hickey Appellants

On motion of Mr I. H. Moore, leave is hereby granted the Clerk to issue the mandate in this Cause.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Saturday, February 15. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court on this behalf by Hon Aylett R. Cotton, it is ordered that John C. Paddy Esquire of Chicago State of Illinois, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

---

181 | Eunice N. Gray Plff in Error. vs. Wm F. Coan et al. | On motion of Mr A.R. Colton leave is hereby granted him to withdraw the map filed in this cause, by leaving a copy of the same on the files of this Court, and a receipt for the same

---

126 | Reuben Tomlinson et al. Appellants. vs. Thomas Branch et al. and The City Council of Charleston et al. 235. vs. Appellants Thomas Branch et al. | The argument of these cases was commenced by Mr D. H. Chamberlain of counsel for the appellants, continued by Mr Jas. Conner, and Mr A.G. Magrath, of counsel for the appellees and concluded by Mr D.T. Corbin and Mr P. Phillips of Counsel for the appellants

---

Frank Metzger
645. vs. Appellant
John W. Waddell

Mr S. B. Elkins of counsel for the appellee having filed and read in open court the following certificate to wit:

"In the Supreme Court of the Territory of New Mexico.

John W. Waddell
vs. Appellee
Frank Metzger
Appellant.
} Appeal from Mora County.

I William Breeden Clerk of the Supreme Court of the Territory of New Mexico, do hereby certify that on the 25th day of January A.D. 1867, being the 14th day of a regular term of said Court, begun and held at Santa Fe in said Territory on the first Monday of January A.D. 1867. judgment was rendered in and by said court, in the above entitled cause against

the said defendant: and thereupon the attorney of the said defendant asked for an appeal from said judgment, to the Supreme Court of the United States, which appeal afterwards to wit; on the 18th day of said term, was duly allowed, and a supersedeas, and stay of execution ordered by the said Supreme Court of the Territory of New Mexico, as remains of record in my office.

In testimony whereof, I hereunto set my hand and affix the seal of said court, this 20th day of January A. D. 1873.

Seal

Wm Breeden
Clerk Supreme Court
New Mexico."

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to pros-

said appeal, now here moved the Court in pursuance of the ninth rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of New Mexico, be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said appeal notwithstanding.

Per Mr Chief justice Chase.

Lucien B Maxwell
vs. Appellant
Andrew Stewart.

Mr. S. B. Ellis of Counsel for the appellee

having filed and read in open Court the following affidavit:

"Supreme Court of the Territory of New Mexico

Andrew Stewart, Appellee
vs
Lucien B. Maxwell, Appellant
} Appeal from Santa Fe Co. 1st District.

I, William Breeden Clerk of the Supreme Court of the Territory of New Mexico do hereby certify that on the 15th day of January A.D. 1872, being the 15th day of a regular term of said Court, begun and held at Santa Fe in said Territory on the first Monday of January A.D. 1872, judgment was rendered in and by said Court in the above entitled cause, against the said defendant Lucien B. Maxwell and James L. Johnson, D. Bernard Koch, Charles L. Hopkins and Alexander Valle securities on the appeal bond of the said defendant, appellant, and that afterwards

to wit: On the 21st day of January A.D. 1873, being the 21st day of said term of said Supreme Court, the said appellant sued out, & obtained a writ of error to remove said cause into the Supreme Court of the United States returnable to the December Term 1872, thereof, as remains of record in my office.

In testimony whereof, I hereunto set my hand and affix the seal of the said Supreme Court of the Territory of New Mexico at Santa Fe this 20th day of January A.D. 1873.

Seal.

Wm. Breeden
Clerk".

And it being stated that the appellant had allegedly failed to file the record of said cause in this court, or in anyway to prosecute said appeal now here moved

the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of New Mexico be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

Proclamation being made the Court is adjourned until Monday morning the 24th of February at Eleven o'clock.

Monday February 24. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas F. Withrow it is ordered that J. M. Enfield Esquire of Dubuque State of Iowa, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Virginia Grant, it is ordered that H. H. Dillon junior Esquire of Baltimore State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Norwich and Worcester Railroad Company.	This cause was submitted
120 vs. Error to	to the
Charles Johnson	Consideration

of the Court on the record and printed Arguments by Mr J. Halsey of Counsel for the Plaintiff in Error. No Counsel appearing for the defendant in error.

The Farmers Bank of Cayuga &c	This cause
121 vs. Appellants	was sub-
Oliver C Wilson et al.	mitted to

the consideration of the Court on the record and printed arguments by Mr C. Vansantvoord of Counsel for the appellants & by Mr James C. Carter for the appellees.

James B Hacker
123 vs Pltff in Error.
Wm H. Whitehead

This cause was argued by Mr P. Phillips of Counsel for the plaintiff in Error. No counsel appearing for the defendant in Error.

The Iowa Homestead Co
25 vs Appellants.
The Des Moines Navigation & Railroad Company.

This cause was argued by Mr James Grant of Counsel for the appellants, and by Mr T. F. Withrow and Mr C. C. Nourse for the appellees.

---

129. George Culley vs Appellant / Roswell S. Burrows. | This cause was argued by Mr James Grant of Counsel for the appellant, and by Mr C. C. Nourse for the appellee.

---

130. Jose Ribon et al vs Appellants / The Chicago, Rock Island & Pacific Railroad Company. | The argument of this cause was commenced by Mr James Grant of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 25, 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Haley Washington Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Hosmer it is ordered that C. J. Hodge Esquire of Clinton State of Louisiana be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Charles R. Hamlin, assignee. vs. Truman R. Hawkins	The Atty moved the court for leave to file printed argument in this case in behalf of appellees, in 20 days from this date - Whereupon the Court not being now here sufficiently advised of, and concerning what order to render in the premises but, time to consider.

111.

Charles Morgan vs Plff in Error, John Parham.	On motion of Mr P. Phillips, leave is hereby granted the Clerk to issue the mandate in this cause.

111.

The United States vs Plffs in Error. Reese Edgecombe Jausson &c.	On motion of Mr Asst Atto Genl Hall, and. consent of Mr J. D. McPherson

37

it is ordered that this cause be, and the same is hereby continued to the next term.

130	Jose Ribon et al. vs. The Chicago Rock Island & Pacific Railroad Company	The argument of this cause was continued by Mr James Grant of counsel for the appellants. The court declined to hear further argument in the case.

22	Joseph B. Crofield et al Appellants vs. Isaac McClelland et al.	This cause was argued by Mr T. W. Barkley of counsel for the appellees & submitted on printed argument by Mr J. M. Wadsworth of counsel for the appellant.

---

131 John Sheps Sulivan vs. The New Albany and Sandusky City Junction Railroad Co. et al. Appellant

Ordered by the Court that this cause be passed for the present.

---

132. The City of Richmond vs. Henry Smith who sues for the use &c. of Hermann Clendenin. Plff in Error.

In error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and the plaintiff in Error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of Error and failing to appear, it is thereupon on motion of Mr

N. H. Mattingly of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

S. H. Stockdale, Coll.r &c.
133 vs. Piff in Error,
Dowell, Hackart & Co.
and
S. H. Stockdale Coll.r &c.
134 vs. Piff in Error,
Henry Michel.

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Solicitor General Phillips of Counsel for the plaintiffs in error, and by Mr Frederick Chase for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 26th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. McCary Esquire Marshal.
Daniel Tuley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Charles Donohue it is ordered that John Chetwood Esquire of Elizabeth State of New Jersey be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Eight Hundred Bales of Cotton, Edwin Turner, R. W. Mallard & Co. John O Hatterman, Treasurer J. H. Mason & Son, Daniel Remington & Son, John H. Mitchell — Borden, D. B. and R. Knight

240. vs. Appellants.

Philip Fitzpatrick, H. A. Kane, Mary D. Seull, Jane Kelly, — Schirmer, J. R. Bogard & Andrew Seull &c.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion of Mr E. H. Owen of Counsel for the appellees stating that the matters in controversy had been agreed and settled between the parties it is now here ordered adjudged and decreed by this Court that this cause be and the

same is hereby dismissed with costs.

Per Mr Justice Clifford.

Benjamin F. Flanders dep'y Gen'l Agent &c.
35 vs. Pleff in Error.
John P. Tweed.

These cases was argued by Mr. Victor General Phillips of counsel for the plaintiff in Error, and by Mr. T. D. Lincoln for the defendant in error.

The United States intervenors
36 vs Plffs. in Error.
Jas. P. Tweed & Benj. F. Flanders.
And
Benj. F. Flanders, dep. gen. agt, &c.
361. vs Pleff in Error.
John P. Tweed.

These cases were argued by Mr. Solicitor General Phillips of counsel for the plaintiffs in Error, and by Mr T. D. Lincoln of Counsel for the defendants in error.

Joseph Specht
136 vs Pltff in Error.
Samuel E. Howard et al.

This cause was submitted to the consideration of the Court on the record and printed Arguments by Mr D. K. McRae of Counsel for the plaintiff in error, and by Mr C. M. Conrow and Mr Dunton Conrow for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday February 27, 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Mr Justice Clifford announced to the bar that no argument would be heard in any case after tomorrow until Wednesday next.

John Phelps Putnam
131 vs. Appellant
The New Albany and Sandusky City junction R. R Co. et al.

The argument of this cause was commenced by Mr S Burke of counsel for the appellant continued by Mr M. C. Kerr of counsel for the appellees, and concluded by Mr Burke for the appellant.

Thomas Ryee et al.
139 vs. Appellants.
The British Steamer Queen &c.

The argument of this cause was commenced by Mr E. A. Cowen of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 28. 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire. Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first, made to the Court in this behalf, by Mr H. A. Hosmer, it is ordered that Edwin P. Smith Esquire of Saco, State of Maine be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Geo H Paschal it is ordered that S. L. Niblack Esquire of Lake City State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by J. W. J. McPherson it is ordered that Legh R. Page Esquire of Richmond State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. -

---

337 The Liverpool London and Globe Insurance Co. Plff in Error. vs Charles A. Lacoste. | In error to the Circuit Court of the United States for the District of La.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr Ewan on behalf of Mr Lyon of counsel for the plaintiff in Error, stating that the matters in controversy in this cause had been agreed & settled between the parties, it is now here ordered & adjudged by this Court, that the writ of error in this cause be, & the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The City of Richmond, Plff in Error,
32 v.
Henry Smith, use &c.

On motion of Mr Page of counsel for the plaintiff in Error, with the consent of Mr W. F. Mattingly of counsel for the defendant in error it is now here ordered

by the court that the judgment of dismissal entered in this cause on the 25th instant, be and the same is hereby stricken out, and leave granted to submit the cause on printed arguments within ten days from this date.

Jeremiah M. Mason
vs. Pltff in Error
John F. Moore, admr.

The motion for supersedeas in this cause was submitted to the consideration of the Court on printed argument by Mr A. P. Shipman.

Edward Matthews
vs. Pltff in Error.
Nelson McLea

The motion to dismiss this cause was submitted to the Court on printed arguments by Mr Irving P. Smith in support of the same, and by Mr John Harwood in opposition thereto. Whereupon this Court not being

now have sufficiently advised of and concerning what order to render in the premises took time to consider.

34	Thomas Ayres et al vs. The British Str Dunore.	Appellants	The argument of this cause was continued by Mr E. A. Owen of counsel for the appellants, and by Mr John Chelwood and Mr C. Donohue of counsel for the appellees & concluded by Mr Owen for the appellants.

17	Wm H. Gaines et al. vs. John C. Hale et al.	Piffs in Error.	The argument of the motion to dismiss this cause for leave to file a plea in abatement was commenced by Mr Albert Pike in favor of the same.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock.

Monday March 3. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices

John F. Nealy Esquire Marshal-
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Town of Grand Chute
vs. } In Error
Geo. H. Pinney. } to the Circuit Court

of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Wisconsin

per Mr Justice Hunt.

---

70 The Town of Grand Chute vs George W. Vinegar, George S. Goodwin, Henry Lewis, & Theodore Conkey. | Appeal from the Circuit Court of the

United States for the Eastern Dis-

trict of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

Per Mr Justice Hunt.

J. H. Hammatt, H. C. Ward, E. W. Stone, A. Myers, M. L. Earle, S. Warfield, J. S. Smith, C. L. Davis, J. L. Frost, W. G. Hunted, J. S. Darrell, J. Smith, A. F. Reid, A. H. Ellis, J. Hurnell, H. L. Polston, H. S. Emmerson, & W. R. Hodges

vs.

Appellants.

Board of Supervisors of Wayne Co. and Smith the Mount Vernon & Ch.

Appeal from the Circuit Court of the United States for the

Monday March 3rd 1873. Continued.

Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Hunt.

Dissenting
Mr Justice Miller.
" " Field.

Calvin Branson and Nathan Bradley
113 &c Plffs in Error
Jacob Frech.

In error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - and that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Bradley.

Monday March 3rd. 1873. Continued.

The Philadelphia & Reading R. R. Co.	In error to the Supreme Court of the Commonwealth of Pennsylvania
21 vs Pifer Error.	
The Commonwealth of Pennsylvania —	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs

Dissenting per Mr Justice Strong.
Mr Jus. Miller }
" " Field }

22	The Philadelphia & Reading R.R. Co. & Plff in Error. The Commonwealth of Pennsylvania.	In Error to the Supreme Court of the Commonwealth of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Mr Justice Strong dissenting
Mr Justice Swayne,
" " Davis.

50.	The Erie Railway Co. vs. Pelff in Error. The State of Pennsylvania	In error to the Supreme Court

of the Commonwealth of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Mr Justice Strong.

William Smith
104. Et. Piff in Error.
James M. Adsit,
Joel Wright, Patrick
Rourk, and the Trus-
tees of Schools of Town-
ship 34 Range 6,
East in Grundy Co. Ills.

In error to
the Supreme
Court of the
State of Illi-
nois - -

This cause came on to be heard
on the transcript of the record
from the Supreme Court of the
State of Illinois and was argued
by Counsel. On consideration where-
of it is now here ordered & adjudged
by this Court. That the writ of error
in this cause be, and the same is
hereby dismissed with costs -
per Mr Justice Strong -

William B. Duncan
David Duncan and
William Watts Sherman.
108. vs. Appellants.
Mary F. B. Jaudon.

and

The National City Bank.
109. vs. Appellant,
Mary F. B. Jaudon.

Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Eliza J. Mahan, and Richard H. Mahan	Appeal from the Court of Claims.
217 vs. Appellants.	
The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

D. H. Peabody, Collector of Internal Revenue.	In error to the Circuit Court of the United States for the Middle
290 vs. Pelt in Error.	
George H. Draughn.	

District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs & Interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr Justice Miller.

D. H. Peabody, Collector of Internal Revenue. vs. Plff. in Error,
M. O. Mason, and J. B. Taylor as M. O. Mason & Company.

In error to the Circuit Court of the United States for the Middle

District of Tennessee.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments learn in the Courts of the State of Tennessee.

per Mr Justice Miller

D. W. Peabody Collector of Internal Revenue. Pltf in Error,
vs.
J. C. Mark & R. E. Hilliard, Deft in Error.

In error to the Circuit Court of the United States for the Middle District of Tennessee

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr Justice Miller,

---

119 Theodore Olcott vs. Chas. Wickes, L. L. Bridges, E. B. Barron, John L. Bridges, in his own right & as Ex'r. of — Burd, dec'd. H. F. Bynum, & Thomas Greer, Trustees, &c. William Sloan, and Aaron E. Hovey.

Appeal from the Circuit Court of the United States for the District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Spencer Smith
200. vs Pfff in Error
Sp. Hamilton J. McCool.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration

whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

---

114. P. Platt Carpenter vs. Mahala Longan. | Appeal from the Supreme Court of the Territory of Colorado. –

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by Counsel, On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this Cause be, and the same is hereby reversed with costs. – And that this Cause be, and the same is

hereby remanded to the said Supreme Court, with directions to enter a decree in conformity with the opinion of this Court.

per Mr Justice Swayne.

170.	Ellen Mitchell, Charles Bullen, & Henry Rust as Appellants vs Robert B Hawley.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid

at the same rate per annum that decrees bear in the courts of the State of Massachusetts.

per Mr Justice Clifford

16 Thomas C Sweeney vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

15 Wm H. Barnes, James N. Kerns & Albert L. Magilton vs. The Phila & Reading R R Co. | In error to the Circuit Court of the United

States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

Dissenting. Mr Mr Justice Clifford.
Mr Justice Strong
C.J. Chase
Mr. Davis
Field.

16. Wm. H. Barnes, James N. Kerns, and Albert G. Hagelton. vs. Piffs. in Error. The Lehigh Valley R.R. Co. | In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting: per Mr. Justice Clifford.

Wm. H. Barnes, James N. Kerns & Albert L. Magdeburg vs. Pitts. in Error. The Lake Superior and Mississippi R.R. Co.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

17.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting
Mr Justice Strong
Chief Justice Chase
Mr. Justice Davis
Field

per Mr Justice Clifford.

Monday March 3rd 1873 Continued:

	Wm. H. Barnes, James K. Kerns & Albert L. Magaton vs. The Pitts. & Reading Railroad Company.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
18.		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause, be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting Mr Justice Strong, Chf Jus Chase, Jus. Davis, " " Field

per Mr Jus. Clifford.

	Wm H. Barnes & James A. Kerns.	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
19	vs. Pffs. in Error.	
	The Harrisburg Portsmouth, Mountjoy & Lancaster R. R. Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Clifford.

Dissenting
Mr Justice Hunt
Chief Justice
Mr Justice Davis
Mr Justice Field

Monday March 3rd 1873 Continued -

Wm. H. Barns & James N. Kerns. vs. Pltfs. in Error. The Philadelphia & Trenton R.R. Co.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

20

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania. and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity with the opinion of this Court. per Mr Justice Clifford,

Dissenting
Mr Jus. Strong
Mr Chf Jus Chase
" Jus. Davis
" " Field.

Manuel Diaz
97 vs Appellant
The United States.

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr Chief Justice Chase.

F. A. Huntington administratrix and Wm. M. Tenney, & F. H. Gassaway, admrs of Wm S. Huntington dec'd, and the 1st National Bank of Washington.	In Error to the Supreme Court of the District of Columbia
194. vs. Plffs in Error.	
The State of Texas	
and	
The State of Texas	
195. vs. Plff in Error.	
F. A. Huntington, admx & Wm. M. Tenney, & F. H. Gassaway, admrs of W. S. Huntington dec'd, and the 1st National Bank of Washington.	

These causes came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and were argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in these causes be, and the same is hereby reversed with costs And that these causes be, and the same

are hereby remanded to the said Supreme Court with directions to award a new trial.

per Mr Chief Justice Chase.

---

255. The Bank of New Orleans. Plff in Error. / Margaret Caldwell, widow of James Erwin Sr, Ellen K Erwin, wife of J. B. Craighead, Laura Erwin, wife of H. D. McKinney, & the husband H. D. McKinney et al. Defts

In error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same

rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr. Chief Justice Chase.

James Graham, auditor of public accounts of the State of Louisiana — vs. E. E. Norton, assignee in bankruptcy of Aden Ewing & Company et al. —

114. Pleff in Error.

On error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is

Cause remanded to the said Circuit Court, with directions to dismiss the said for want of jurisdiction.

Per Mr Chief Justice Chase.

S. Clifton Mares
& Eugene Bebee
Sep. & Pfts. in Error.
vs.
The Mayor & Aldermen
Common Council
of the City of Mobile
et al.

In Error to
the Supreme
Court of the
State of
Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and on the motion of Mr Phillips of Counsel for the defendants in Error, to dismiss this cause, which was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that the writ of error in

this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

Charles R. Hawkins assignee of the estate of James M. Hawkins Bankrupt
vs. Appellant,
Truman R. Hawkins
Emmus H. Drury, & James M. Hawkins -

111. } Appeal from the Circuit Court of the United States, for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, & was argued by Counsel On consideration whereof, the Court being equally divided in opinion, it is now here ordered adjudged and decreed by this Court that

hereby remanded to the said Circuit Court, with directions to dismiss the suit for want of jurisdiction

per Mr Chief Justice Chase.

Clifton Mares
vs
Eugene Bebee.
Sup. Ct. Miss. in Error.

The Mayor & Aldermen & Common Council of the City of Mobile et al
vs
Eugene Bebee.
Sup. Ct. Miss. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and on the motion of Mr Phillips of Counsel for the defendants in Error, to dismiss this cause, which was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that the writ of error in

this cause be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

111. Charles R. Hamlin Assignee of the Estate of James M. Hawkins. Bankrupt. vs. Truman R. Hawkins Charles H. Drury, & James M. Hawkins - Appellants, | Appeal from the Circuit Court of the United States, for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, & was argued by Counsel On consideration whereof, the Court being equally divided in opinion it is now here ordered adjudged and decreed by this Court that

the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with Costs. By a divided Court.

Henry B. Merrill et al vs. John H. Petty et al

1873 Appellants

On consideration of the motion heretofore filed to dismiss this cause, it is ordered that the hearing of this motion be postponed until the case of Merrill et al. vs. The Schooner Mary Eveline numbered 201 on the docket of this term is reached, and leave is given if the parties consent that both cases be argued together as one cause.

John McGuire vs. The United States.

99 Appellant

Ordered by the Court that this cause be assigned on Tuesday the first day of April next.

133 of 1871. Benoni S. Gardner, Appellant, vs. The Goodyear Dental Vulcanite Co. et al. } Appeal from the Circuit Court of the United States for the District of Rhode Island.

On consideration of the motion filed by Mr. J. S. Black, on a day of the last term of this Court, on the 29th of October A.D. 1872. to recall and annul the decree made by this Court, affirming the decree of the said Circuit Court, at said term, viz: on the 6th day of May A.D. 1872. and to revoke and cancel the mandate issued by this Court to the said Circuit Court, and of the argument of Counsel thereupon had, as well in support of as against said motion. It is now here ordered by this Court that the aforesaid decree of this Court affirming the decree of the said Circuit Court,

in this cause be, and the same is hereby reversed and annulled and that the mandate issued by this Court to the said Circuit Court, in this cause be, and the same is hereby recalled and cancelled.

And it is now here further ordered by this Court that this appeal from the Circuit Court of the United States for the District of Rhode Island, be, and the same is hereby dismissed with costs. And that the Clerk of this Court do forthwith send to the Judges of the said Circuit Court, a copy of this order, under the seal of this Court.

Per Mr Chf Jus. Chase.

240 D. W. Peabody Collr &c. vs. Pfff in Error. George H. Draughon.

241 D. W. Peabody, Collr. &c. vs Pfff in Error. M. O. Mason & Co.

And.

242 D. W. Peabody Collr &c. vs Pfff in Error, Stark & Hilliard,

On motion of Mr. H. Starr, & Consent of Atty. may file Cost Bill Claims, Leave is hereby granted the Clerk to issue the mandates in these cases.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 11th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened

The Court attended the inauguration of His Excellency, Ulysses S. Grant President of the United States.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 5, 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Hasley Middleton Clerk

Proclamation being made, the Court opened

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Samuel M. Wilson Esquire of San Francisco, State of California & Henry T. Rees Esquire of Urbana State of Ohio, be admitted to practice as attorneys and Counsellors of this Court, and they

Tuesday March 4th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened

The Court attended the inauguration of His Excellency, Ulysses S. Grant President of the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 5, 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Hasley Middleton Clerk.

Proclamation being made, the Court opened

On motion just made to the Court in this behalf by Mr P. Phillips it is ordered that Samuel M. Nelson Esquire of San Francisco, State of California & Henry T. Niles Esquire of Urbana State of Ohio, be admitted to practice as attorneys and Counsellors of this Court, and they

were sworn accordingly.

On motion first, made to the Court in this behalf by Hon. M. Kerr, it is ordered that Hon Samuel Shufelt of Mercer, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

117	Wm H. James et al. pl. Plffs. in Error. John C Hale et al.	Ordered by the Court that no further argument be heard in this case, and that the case be continued until after the decision of the Court of Claims in same case now before it.

117	Wm H. James et al. pl. Plffs in Error. John C Hale et al.	Mr James Hughes filed motion for the appoint-

ment of a receiver pending this suit to take charge of the property in litigation and hold the same and account for it, under the order and direction of this Court.

The Evansville National Bank.	Mr. M. C. Kerr on behalf of the respec
52 vs. Appellant.	
The Metropolitan National Bank of New York.	

tive Counsel moved the Court to set this cause for argument on Tuesday the 18th instant. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Hamilton Slawson jr.	This cause was argued by Mr Gen. Taylor for
141 vs. Appellant	
The United States.	

the appellants and by Mr Asst Attorney General Hall for the appellees.

P. De Cordova, Spignee &c. | This cause
1122 vs Appellants | was ar-
Mary Hoodless &c. | gued by
Mr Conway Robinson of Counsel for the appellants, and submitted on printed argument, by Mr George D. Moore for the appellees.

John A. C. Hartwell | This cause
113 vs Appellants | was argued
William Lockhart et al. | by Mr P. Phillips of
Counsel for the appellant and submitted on printed arguments by Mr John J. Morgan for the appellees.

Wednesday, March 5, 1873 Continued.

The Merchants Mutual Insurance Company.
144 vs. Pltff in Error.
Asahel P. Lyman et al.

This cause was argued by Mr Wm M. Evarts of counsel for the plaintiff in Error, & by Mr T. J. Durant for the defendants in error.

The New Orleans Insurance Company.
145. vs Pltff in Error.
Renaldo Piaggio.

This cause was argued by Mr Wm M. Evarts of Counsel for the plaintiff in Error, and by Mr T. J. Durant for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday March 6. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr S. J. G. Fuller, it is ordered that John D. Taylor Esquire of New York City be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

151. John R. Sand et al vs J. A. Davenport. | On motion of Mr Williams it is ordered by the Court that this cause be, and the same is hereby continued to the next term.

1148. The Erie Railway Co. vs Jeff in Error. Jacob B. Floyd. | In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a Remittitur from the Court of Appeals of the State of New York and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties it is now here ordered & adjudged

by this court that the writ of error in this cause be and the same is hereby dismissed with costs -

per Mr Chief Justice Chase

The Erie Railway Co
vs. Pye in Error.
Cameron C. Dike.

In Error to the Supreme Court of the State of New York.

1149

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York being possessed of the record and proceedings upon a mandamus from the Court of Appeals of the State of New York, and it appearing to the court that the matters in controversy in this cause have been agreed & settled between the parties, - it is now hereby ordered & adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs

per Mr Chief Justice Chase.

150	The Erie Railway Co. vs. Piff. in Error. Arthur C. Bigelow by Camden C. Dike his guardian ad litem	In error to the Supreme Court of the State of New York.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of New York, being passed & the record & proceedings upon a mandate from the Court of Appeals of the State of New York, and it appearing to the Court, that the matters in controversy in this cause have been agreed and settled between the parties it is now here ordered & adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase

Thursday, March 6th 1823. Continued.

The United States 38. vs. Plffs in Error. Jacob Singer, et al.	On motion of Mr Wirt Att. and Attorney General Hall leave is hereby granted the Clerk to issue the mandate in this cause.

The United States 33. vs Plaintiffs Elijah K. Swayne	Ordered by the Court that this cause be passed for the present on account of sickness in Mr Johnsons family.

Andrew Hamilton et al. 116. vs Plffs. in Error, Joseph R. Dillon.	On motion of Mr Attorney General Williams, it is ordered that this cause be passed for the present.

The Commercial National 52. Bank vs Appel. The Metropolitan National Bank of New York.	On consideration of the motion of Mr M.C.

Kerr, it is ordered by the Court that this cause be assigned for argument on Tuesday the 15th instant.

The Planters Bank of Tennessee.
147 vs. Piff in Error.
The Union Bank of La
and
The Union Bank of Louisiana
170 vs Piff in Error.
The Planters Bank of Tennessee.

The argument of these cases was commenced by Mr Conway Robinson of counsel for the Union Bank of Louisiana continued by Mr T. J. Durant of counsel for the Planters Bank of Tennessee, and concluded by Mr J. Phillips of counsel for the Union Bank.

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven o'clock.

Friday March 7. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on his behalf by Mr. Mahaney C. Keen, it is ordered that William Mitchell Esquire of the Castle State of Delaware be admitted to practice as an attorney & Counsellor of this Court, & he was sworn accordingly.

Friday March 7. 1873. Continued

On motion first made to the Court in this behalf by Mr Edwards Sworn it is ordered that William Stanley Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James M. Carlisle it is ordered that Juan de S.t Dona Esquire of Brooklyn State of New York be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly -

---

On motion first made to the Court in this behalf by Mr James M Carlisle it is ordered that Robert Harvey Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this Court - He was sworn accordingly.

Duff & Green, and Benjamin E. Green
635 vs. Piffs in Error.
Wm. Payne et al.

Mr Albert Pike moved the Court to recall and annul the order docketing and dismissing this cause of Error, entered at a prior day of this term. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Wm. H. Jones et al
117 vs. Piffs in Error.
John C. Hale et al

The motion to appoint a receiver &c in this cause was argued by Mr James Hughes in support of the same, & by Mr F. K. Stanton in opposition thereto. On consideration whereof it is now here ordered by this Court that said motion be, and the same is hereby denied.

The City of New Orleans.	This cause
153. vs. Appellant.	was argued
Myra Clark Gaines.	by Mr
	Miles Tay

lor of counsel for the appellant, and by Mr James Emott, and Mr J. L. A Fellows of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Monday March 10th 1873.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices -

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

R. J. Humphreys and John McCullough Appellants. vs. Thomas E. B. Rogers	Appeal from the Circuit Court of the United States for the District of South Carolina. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

Reuben Tomlinson, James H. Grace, Fleetwood Lamoan, D. J. Kollenquist, T. K Saspatas, J. H. Denny, John Woolly, R D Saussure, & D. J. Coghlan. Pltfs. in Error vs. Thomas Branch, John P. Branch, Frederick R. Scott, & Thomas P. Branch. Defts.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree making the injunction perpetual as to all that part of the line and railroad of said South Carolina Railroad Company, which extends from Summerville to Columbia and Kingsville, and as to all property and stock of said Company properly appertainable and applicable to the said portion of line of railroad; and dismissing

the bill as to all the rents of the railroad, property and stock of said Company; and that such further proceedings be had as may be necessary to enforce and carry out said decree.

per Mr Justice Bradley.

The City Council of Charleston, Stephen Thomas & George Mathews. vs. Thomas Branch, John P. Branch, Frederick R. Scott & Thomas P. Branch & Branch Sons & Company.

335

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed, by this

court, that the decree of the said Circuit Court in this cause be, & the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to proceed therein in conformity with the opinion of this court.

per Mr Justice Bradley.

1144 Edward S. Brown, Appellant, vs. Lawrence Kennedy, and Eliza his wife, and Wesley Payne. | Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same

is hereby affirmed with costs.
Dissenting Mr Justice Hunt
Mr Jus. Field.

The Cleveland Painsville and Ashtabula R. R. Comp.
31. vs Pliff in Error.
The Commonwealth of Pennsylvania

In Error to the Supreme Court of the Commonwealth of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, for further proceedings to be had therein in conformity with the opinion of this court.
Dissenting. per Mr Jus. Field.

The Pittsburgh Ft Wayne and Chicago R. R. Co.	In error to the Supreme Court of the Commonwealth of Pennsylvania.
32. vs. Postin Error.	
The Commonwealth of Pennsylvania.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, & the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings, to be had therein, in conformity with the opinion of this Court

Dissenting Mr Justice Field.
Mr Justice Davis
" Clifford
" Miller
" Hunt.

33. The Delaware Lackawana and Western Railroad Co. vs. Pliffs. in Error. The Commonwealth of Pennsylvania | In error to the Supreme Court of the Commonwealth of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein, in conformity with the opinion of this court.

Per Mr Jus. Field.

Dissenting
Mr Jus Davis
" " Clifford
" " Miller

Henry Haffin and
Patrick Wagner.
325 vs Plffs. in Error,
John M. Mann Coll.
and Abram Hyatt assessor of Internal Revenue &c.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Davis.

The Norwich & Worcester
Railroad Company.
120 vs Plff in Error,
Charles Johnson

In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court of Errors, for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting Mr Justice Miller,
Mr Chf Jus Chase.
" Jus. Clifford
" " Field.

St Joseph Township
Champaign County.
239. vs Plffs. in Error.
James Rogers.

In error to the Circuit Court of the United States for the Southern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

per Mr justice Clifford -

Monday March 16th 1863. Continued.

Mr Justice Miller and Mr Justice Field did not sit in this case.

Thomas Murdock et al. vs. Pliffs. in Error. The Mayor & Aldermen of the City of Memphis.

106

It is ordered that this case be heard argued on the first day of April next on the following propositions:

1 Does the second section of the act of July 5, 1862 repeal all or any part of the 25th section of the act of 1789, commonly called the judiciary act?

2nd Is it the true intent & meaning of the act of 1862, above referred to, that when this court has jurisdiction of a case by reason of any of the questions therein mentioned, it shall proceed to decide all the questions presented by the record, which are necessary to a final judgment or decree

3 If this question be answered

affirmatively, does the Constitution of the United States authorize Congress to confer such a jurisdiction on this Court?

Hugh Carlisle et al. Appellants, vs. The United States. | Ordered that this case be re-argued on the first day of April upon the question whether the amnesty proclamations of the President apply to domiciled aliens as well as to citizens.

William H. Crapo et al Plffs in Error. vs. John Kelly, Sheriff &c. | The argument of this cause was commenced by Mr H Stanley of Counsel for the plaintiffs in error and continued on the part of Mr Wm M Evarts of Counsel for the defendant in error

---

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 11. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Travellers Ins. Co. 2d. Plff in Error.
Elizabeth Seaver -

On motion of Mr Edmunds and, Consent of Mr Phelps, it is ordered that this cause be continued to the next term.

---

379 The Mayor &c of Nashville vs. Pliffs in Error. William Ray. | On motion of Mr Edmunds and consent of Mr Cooper, it is ordered that this cause be, continued to the next term.

---

184. Hamed S Bource vs. Appellant, James Fraser, and William K. Major executors of Thomas Fraser Dec'd & Co. and Benjamin R. Shepherd | Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the motion of the Counsel stating that the matters in controversy in this cause had been agreed and settled between the parties it is now here ordered adjudged and decreed by this Court,

that this appeal be, and the same is hereby dismissed with costs.

for Mr Chief Jus. Chas.

Wm H. Crapster, &c
vs. Pleffs in Error.
John S. Ky. Sheriff &c.

The argument of this cause was continued by Mr W. M. Evans of counsel for the defendant in Error and concluded by Mr Edwards Pierrepont, for the plaintiffs in Error.

The City of Richmond
vs. Plaintiff in Error.
Henry Smith use of
Alexander Clendenin.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr S. R. Price of counsel for the plaintiff in Error, and by Mr W. F. Mattingly for the defendant in Error.

The New Orleans Mobile and Texas R. R. Co.
155 vs. Piff in Error
John Hanning.

The argument of this cause was commenced by Mr Duncan F. Campbell of counsel for the plaintiff in error and continued by Mr T. J. Durant for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 12. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Kelley Admission Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr B. F. Thurston, it is ordered that John A. Gardner Esquire of Providence State of Rhode Island be admitted to practice as attorney & counsellor of this Court & he was sworn accordingly.

---

237 The Pacific Railroad Co Plff in Error. | In Error to the Circuit Court of the
vs
Benjamin F. Stringfellow,

United States for the District of Kansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and on the motion of Mr Phillips stating that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Chase.

Wednesday March 12. 1873. Continued.

511. Christopher Cammack jr. vs. Margaret F. Lewis. Appellant. | The motion to dismiss this cause

was submitted to the consideration of the court on printed arguments by Mr T. J. Durant in favor of the same and by Mr T. T. Critenden, and Mr H. S. Cox in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

55 The New Orleans Mobile and Texas Railroad Co. vs. Aff in Error, John Canning. | The argument of this Cause was concluded by Mr T. J. Durant of counsel for the plaintiff in Error.

---

136 William Daniel &al. vs. Pl'ff in Error. James Wharenby | Ordered by the Court that this cause be passed for the present.

---

137 Henry Boyce vs. Pl'ff in Error. Thomas S. Gabb. | This cause was argued by Mr P. Phillips of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

---

138 Caleb P. Ripley adm'r &c. vs. Pl'ff in Error. The Railway Passengers Assurance Co of Hartford Con. | The argument of this Cause was commenced by Mr George Gray of counsel for the plaintiff in error. The court declined to hear further argument in the case.

Wednesday March 17th 1853 continued.

159	The United States vs. The Bank of the U.S.	Writs in Error. This cause was argued by Mr Solicitor General Phillips of counsel for the plaintiff in error - and by Mr J. Scott Steele, & Mr J. M. B. Sloo of Counsel for the defendants in error.

35.	The United States vs Thomas W. Kelly	Appellants On motion of Mr Solicitor General Phillips leave is hereby granted the Clerk to issue the mandate in this cause.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday March 13th 1873.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,

} Associate Justices.

Wm. G. Hooker Esquire Marshal-
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The American Steamboat Co. vs. Chase. } This cause managed by Mr J. H. Ward.

Error to the Circuit Court for the District of Columbia. Mr S. F. Thruston of counsel for the plaintiff in error and by Mr H. P. Sheffield for the defendant in error.

---

161. John Ryggow vs. Pliff in Error. John Maguire

This cause was argued by Mr. H. Hunt of Counsel for the defendant in Error. & submitted on printed arguments by Messrs Glover & Shepley for the plaintiff in Error.

---

162. The State ex rel Jas. Robb et al trustees vs. Pliffs in Error. Wm. Gurney treasurer of Charleston County and

163. The State ex rel. Theodore D. Wagner vs Pliff in Error. John R. Stoll, treasurer of Charleston County.

The argument of these cases was commenced by Mr W. H. Bayo of counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

---

Friday March 14. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr R. T. Merrick it is ordered that William T. Hamilton Esquire of Hagerstown State of Maryland be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Friday March 14th 1873 continued.

263.	Samuel McClelland et al. vs. The United States.	Appellants.	On motion of Mr James Hughes

it is ordered that this cause be argued with No 46.

221.	Timothy Conway vs Gen. J. Stanard et al.	Plaintiff.	On motion of Mr Assistant Attorney General Hoar,

it is ordered that this cause be continued until the next term.

656.	The Phenix Insurance Co. of Hartford Conn vs. Adolph H. Uphof.	Plff in Error.	Mr J. D. McPherson of counsel for the defendant

in error having filed and read in open court the following certificate to wit:

"Circuit Court of the United

Friday, March 14 '16 3. Continued -

States for the Northern District of Illinois

Saturday, July 20, of the July Term A.D. 1872

Present, the Hon. Thomas Drummond. Circuit Judge
" " " Henry H. Blodgett District Judge.

Adolph H. Uphof
10,259 v.
The Home Ins Company of Hartford
} Assumpsit.

Now comes the plaintiff by his attorney and the motion of the defendant heretofore entered herein for a new trial of this cause being now called for hearing and no one appearing to urge the same the court overrules said motion. It is thereupon considered and adjudged by the court that the plaintiff do have and recover of the defendant the said sum of four thousand dollars his damages so as aforesaid assessed

together with his costs in this behalf expended amounting to the sum of eighty-two dollars, and security for costs and that he have execution therefor.

U.S. Circuit Court North Dist, Ills

Know all men by these presents that we The Phenix Insurance Company of Hartford Conn, as principal, and C.B. Farwell, as surety are held and firmly bound unto Adolph H. Uphoff, in the penal sum of eight thousand dollars, for the payment, of which sum well & truly to be made we do hereby bind ourselves, our heirs successors and assigns firmly by these presents - Sealed with our seals and signed this 1st day of August A.D. 1872.

The condition of the obligation is such that Whereas the said Adolph H. Uphoff, did on the 20th day of July A.D. 1872, recover a-

judgment in the Circuit Court of the United States for the Northern District of Illinois against the said Phenix Insurance Company of Hartford Connecticut for the sum of four thousand dollars from which the said Phenix Insurance Company has prayed an appeal to the Supreme Court of the United States.

Now therefore if the said Phenix Insurance Company of Hartford Connecticut shall prosecute said appeal with effect and shall well and truly pay or cause to be paid the amounts of any judgment together with all damages and costs which may be adjudged by the final order of said Supreme Court to be paid by the said Phenix Insurance Company then this obligation to be void otherwise to be and remain in full force and effect.

Seal of Phenix Ins Co

The Phenix Insurance Co.
by C. H. Kellogg Pres.
C. B. Hurlbut Sec.

Approved
Thomas Drummond.
(Endorsed)
Filed September 7. 1872.
Wm. H. Bradley Clk

Northern District of Illinois ss.
I William H. Bradley
Clerk of the Circuit Court of the
United States for the Northern
District of Illinois aforesaid do
hereby certify the above & fore
going to be a true and correct
copy of the judgment of said Court,
entered of record July 20. A D.
1872. in the record of the proceed-
ings of said Court, and of the Su
persedeas bond filed in said
Court September 7 A D. 1872.
in said entitled cause wherein
Adolph H. Uphoff is plaintiff

and The Phenix Insurance Company of Hartford is defendant, as appears from the records of said Court, remaining in my custody.

Witness my hand and the seal of said Circuit Court at my office in the City of Chicago in said District this 18th day of February A.D. 1873.

(Seal)

Wm. H. Bradley
Clerk.

Circuit Court of the United States for the Northern District of Illinois.

Adolph Uphof
vs. Plaintiff.
The Phenix Ins Co
of Hartford
Defendant.

Judgment rendered July 20. A.D. 1872 against said defendant the Phenix Insurance Company of Hartford for four thousand dollars

damages and eighty-two dollars and seventy-five cents Costs.

Northern District of Illinois ss.

I William H. Bradley Clerk of the Circuit Court of the United States for said District do hereby certify that on the 20th day of July A.D. 1872 judgment was rendered in said above entitled cause in said Court in favor of said plaintiff against said defendant for the sum of four thousand dollars damages and eighty-two dollars and seventy-five cents costs as aforesaid, that on the 25th day of July of the said year a writ of error, issued in due form of law on said judgment at the instance of the said defendant which was allowed by the court, and on the 7th day of September A.D. 1872, the said defendant The Ahrens Insurance Company filed in said Court its supersedeas bond in

said entitled cause, which was duly approved by the Court. all of which appears from the originals in my custody.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Circuit Court at my office in the City of Chicago in said District, this 3rd. day of March A. D. 1873.

Wm. H. Bradley
Clerk."

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now came moved the Court in pursuance of the 4th rule of this Court to have the writ of error docketed & dismissed. In consideration whereof it is now here ordered and adjudged by this Court that this writ of error from the

Circuit Court of the United States for the Northern District of Illinois be and the same is hereby decked and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.

Per Mr Chief Justice Chase.

The State ex rel James Robb et al, trustees.
162. vs. Pfff, in Error
H. M. Gurney, Treasurer of Charleston County.

and

The State ex rel. Theo. Wagner
163. vs. Pfff - in Error,
John R. Stoll, treasurer of Charleston County.

The argument of these causes continued by Mr H. H. Boyce of counsel for the plaintiff in Error, by Mr D. H. Chamberlain of counsel for the defendants in error and concluded by Mr

J. E. Curtis of counsel for the plaintiffs in error.

Thomas H. Gibbons (237) et. al. Appellants George W Lane.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr Ashton stating that the matters in controversy in this cause has been agreed and settled between the parties, it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Chase.

Friday March 14th 1873 Continued:

The Chicago & North Western Railroad Co. vs. Dennis Peck.

164 Jeff in Error.

In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the motion of Mr. Ashton stating that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Chase

The Chicago and North Western Railroad Co.
165. vs Pltff in Error,
Isaac N. Adams, admr.

This cause was argued by Mr J. H. Ashton of Counsel for the defendant in Error, and submitted on printed argument by Mr B. C. Cook of counsel for the plaintiff in error.

The Mutual Life Insurance Co.
166. vs Pltff in Error,
Mary Terry.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs H. E. and Julius T. Davis of counsel for the plaintiff in error, and by Mr W. H. Norton of counsel for the defendant in Error.

Friday March 14th 1873. Continued.

Moritz Deitsch 167 vs. Pff in Error H.B. Wiggins et al.	This cause was submitted to the consideration of the Court on the record with leave to counsel to file briefs on Monday next the 17th instant.

John Parrott 168. vs. Pff in Error, D. McBarney et al.	The argument of this cause was commenced by Mr R. McConnie of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock.

Monday, March 17. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

122	Joseph B. Corfield Appellant vs Louisa McClelland & Mary Davis.	Appeal from the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

Territory of Colorado and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr justice Hunt.

John K. Tiffany surviving trustee of John F. Darby, bankrupt, Appellant
vs.
James H. Lucas. Appellee

18

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed,

with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Davis.

Joseph Specht
138. vs. Appeal from Error
Samuel E. Howard,
Henry Sawyer, Michael Shaw, James Bush, T. K. Butler,

Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

and interest, until paid at the same rate per annum that such similar judgments bear in the Courts of the State of Tennessee.

per Mr Justice Swayne.

Martin McNutt &
Rodolphus H. Taintor.
238. vs Pltffs. in Error.
Asa Turner

In error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

744	John Maguire vs Mary L. Tyler et al.	In error to the Supreme Court of the State of Mo.

This cause having heretofore been argued by the counsel of the respective parties, and submitted to the court, for a decision upon the plaintiffs petition, and the answer of the defendants, and the proofs exhibits documents, stipulation and other evidence in the cause as appears by the authenticated transcript of the record annexed to and returned with the writ of error, and mature consideration having been had thereon, it is ordered adjudged and decreed that so much of the decree of the Supreme Court of the State, as dismissed the petition of the plaintiff, be and the same is hereby reversed with costs. And it is further ordered adjudged and decreed that the tract of four by four arpents claimed by the

plaintiff was confirmed by the board of commissioners to Joseph Brazeau or his legal representatives and that the said tract of land as meted and bounded fully and equitably belongs to the plaintiff as alleged in his petition and as shown by the survey of the Eighth of May 1852, and by the plat out of the tenth of June following, duly docketed and signed by the President. Whereupon this Court proceeding to render such decree in the case, as the Supreme Court of the State of Missouri should have rendered, it is ordered adjudged and decreed that the said tract of land, being the said four by four arpents, claimed by the plaintiff, and meted & bounded as follows: viz. Beginning at a point on the right bank of the Mississippi river; the North east corner of survey No three thousand three hundred and

forty-two, in the name of Esther a free mulatress, or her legal representatives and the Southeast corner of Louis Labeaume's survey No three thousand three hundred and thirty three; thence south seventy four (74) degrees thirty (30) minutes west; with the Southern boundary of said Labeaume's survey, and the Northern boundary of the said Esther survey, to the Northwest corner of the said Esther survey: thence north twenty-three (23) degrees west, seven hundred and seventy six (776) feet eight (8) inches to a stone; thence north 74° degrees (30) thirty minutes East (776) seven hundred and seventy-six feet eight inches to a point, on the right bank of the Mississippi river thence down and along the right bank of said river to the beginning; be and the same is hereby decreed to the plaintiff as all the right, title & interest

of each and every one of said defendants, in and to said tract of land, is hereby divested out of said defendants, and each of them, and that the same is vested in and by virtue of the patent passed to the plaintiff; to have and to hold to the said plaintiff his heirs and assigns the said tract of land so passed to him and his heirs and assigns forever, being the same which is covered by survey No (3343) three hundred and forty-three approved May 8, Eighteen hundred and sixty two and patented to Joseph Brazeau June tenth in the same year, as appears by the record.

And it is further ordered, adjudged and decreed that the plaintiff recover the possession of the said tract of land as herein meted and bounded, and that a writ of possession issue for that purpose in the usual form directed to the Marshal of this Court

duly executed by the Clerk and under the seal of this Court.

Dissenting per Mr Justice Clifford.
Mr Justice Swayne.
" " Strong
" " Bradley

Mr Justice Hunt did not hear the argument and took no part in the decision.

The First National Bank of Washington and F. A. Huntington adm[rs] v. Wm M. Tenney & F. H. Gajaway adm[rs] of Wm Huntington, deceased
275 et Appellants.
The State of Texas.

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration where-

of the court being equally divided in opinion, it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the District of Columbia.

The Chicago & North Western Railway Company. pl. Plff. in Error
165. vs. Isaac N. Adams, adm't. Def't. in Error

In Error to the Cir. Court, Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Iowa, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by

this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and damages, at the rate of ten per cent, in addition to interest from the date of the judgment below, until paid at the same rate per annum and that similar judgments bear on the Courts of the State of Iowa.

Per Mr Chf. Jus. Chase.

John Barnett, Plaintiff in Error, v. M. Dancy et al. | The argument of this cause was commenced by Mr S. H. Wilson of counsel for the defendant in Error, & concluded by Mr D. Clarke of counsel for the Appellee.

1874. Daniel F. Mastison et al. vs. Volney E. Howard. | Appellants. | The argument of this cause was commenced by Mr Geo. H. Paschal of counsel for the appellant.

In consequence of illness the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday, March 18, 1873.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice.

Nelson Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

---

255. The Bank of New Orleans. vs Margaret Carondelet et al. In Error.

On motion of Mr F. Phillips leave is hereby granted the Clerk to issue the mandate in this cause

---

Branch T. Masterson
Assignee &c.
159 vs. Appellant.
Volney E. Howard.

The argument of this cause was continued by Mr George N. Paschal of counsel for the appellants, by Mr T. T. Gibbons of counsel for the appellee and concluded by Mr W. W. Boyce of counsel for the appellant.

Albert Boileau et al.
C. vs. Appellants.
Joseph Morandi et al.

Ordered by the Court that the Clerk deliver to the Clerk of the Supreme Court of the District of Columbia, the original documents now on file, and used in the argument of this cause, and take a receipt of said Clerk for said documents.

Tuesday March 18th 1873 Continued.

152. The Evansville National Bank. vs. Appellant. The Metropolitan National Bank.

The argument of this cause was commenced by Mr Asa Iglehart of Counsel for the appellant and Continued by Mr T. A. Hendricks of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 19, 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Haskey Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Fisher, it is ordered that M. D. Leggett Esquire of Zanesville State of Ohio be admitted to practice as an attorney and counsellor of this Court who was sworn accordingly.

On motion first made to the court in this behalf by Mr Philip Phillips it is ordered that Hon N. H. Wilshire of Little Rock State of Arkansas, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Matt H. Carpenter it is ordered that Hon. John Flanagan of Flanagan's Mills Rusk County Texas, be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

The Evansville National Bank.

32. vs. Appellant

The Metropolitan National Bank of New York.

The argument of this cause was concluded by Mr Asa Sykehart of Counsel for the appellant.

Barbara E. Hume et al. vs. Mary L. Beale Exr. &c. | Ordered by the court that the appearance of J. S. Beale, and D. A. Patterson administrators de bonis non. with the will annexed &c be entered and they are hereby made the parties appellees in this cause with liberty to resist this appeal.

Barbara E. Hume et al. vs. Mary L. Beale's admr. d. b. n. | The argument of this cause was commenced by Mr J. H. Moore of counsel for the appellants continued by Mr John L. McPherson of counsel for the appellees, and concluded by Mr James Hughes for the appellants.

Octavius S. Newell, John B. Beaumont and Joseph M. Beaumont, survivors &c.

177 vs. Pltffs. in Error, Lyman Gilmore, and Charles S. Davis.

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Chase.

Louis Hanauer 175. vs Plaintiff, Adam M. Woodruff.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland of counsel for the plaintiff, -- no counsel appearing for the defendant.

D. Frank Partridge 176. vs. Plff. in Error, The Phenix Mutual Life Insurance Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. H. Brown of counsel for the plaintiff, in Error, and Mr. N. Pomeroy for the defendant in error.

Wednesday March 19. 1873 Continued.

Henry B. Kirkland
Augustine C. Wyly.
& William Green.
180. vs. Plffs. in Error.
R. N. Cudlipp and
Wm. Hazlehurst.

In error to the Circuit Court of the United States for the Southern Dist. of N. York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and it appearing to the court that the matters in controversy in this cause have been agreed and settled between the parties it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Thursday March 20. 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire. Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips, it is ordered that J. G. Kimball Esquire of Washington City District of Columbia, and J. L. Conrad Esquire of Baltimore City of Maryland, be admitted to practice as an attorney and Counsellor of this Court & they

were sworn accordingly

Mr Justice Clifford announced to the Bar that the Court would adjourn over from tomorrow until Monday the 31st instant, and that the cases assigned for argument on the 1st of April will be heard the day following.

---

157 Henry Boyce vs. Piff in Error Thomas S. Tabb. | Mr. S. S. Conrad of counsel for the defendant in error having suggested the death of Henry Boyce the plaintiff in error in this cause moved the Court for an order under the 15th rule of Court to make the proper representatives parties. On consideration whereof, it is now here ordered by this Court that unless the proper representatives of the said Henry Boyce deceased as aforesaid shall voluntarily become parties within

the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have this writ of Error dismissed - Provided that a copy of this order shall be printed in some newspaper, at the seat of government, in which the laws of the United States shall be printed by authority for three successive weeks, at least, sixty days before the beginning of the term of the Supreme Court, Next ensuing.

Wm. H. Moore et al. vs. Appellants, Grund & Huntington &c. | On motion of Mr H. M. Evarts it is ordered that this cause be not called before the 15th of April and that it be argued at that time or immediately after the argument of any case that may then be under argument.

197

Thursday March 20th 1873. Continued -

181. William H. Goddard vs. Piff, in Error, George J. Foster | This cause was argued by Mr D. D. Lord of counsel for the plaintiff in Error, and by Mr H. McEnlo for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Friday March 21. 1873.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

Chr. G. Mackey Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

U.S. & Taylor et al. Plffs in Error. vs. Henry G. Tandor &c. | On motion of Mr White leave is hereby granted the Clerk to issue the mandate in this cause.

Friday March 21. 1873. Continued.

114.	B. Platte Carpenter vs. Appellant, Mahala Longan.	On motion of Mr McPherson, Leave is hereby granted the Clerk to issue the Mandate in this cause.

375.	Amelia Cowanah, Charles Cowanah, James Terwilliger, and Thomas Stephens. vs. D. B. Hannah, Samuel Caruthers, G. C. Caruthers, Sarah A. Appleby et al	Errors to the Supreme Court of the State of Oregon.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Oregon and on the motion of Mr J. K. Kelly, stating that the matters in controversy in this cause had been agreed & settled between the parties it, is now here ordered and adjudged by this Court, that the writ of error

Friday March 21. 1873.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong,
Joseph P. Bradley
Ward Hunt,
} Associate Justices.

Chr. J. Hoeling Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

U.S. v. Taylor et al. In Error to D. C. Iowa. Henry G. Taylor &c. | On motion of Mr White Case is hereby granted the Clerk to issue the mandate in this cause.

114.	B. Mills Carpenter vs. Appellant, Mahala Longan.	On motion of Mr McPherson, leave is hereby granted the Clerk to issue the Mandate in this cause.

375.	Amelia Cowanah, Charles Cowanah, James Terwilliger, and Thomas Stephens. vs. D. B. Hannah, Samuel Carruthers, G. C. Carruthers, Sarah A. Appleby et al	Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon and on the motion of Mr J. K. Kelly, stating that the matters in controversy in this cause had been agreed & settled between the parties it, is now here ordered and adjudged by this Court, that the writ of error

in this cause be, and the same is hereby dismissed with costs

Per Mr Justice Clifford

Duff Green and Benjamin E. Green. 635 vs. Pffs. in Error. Wm Bayne et al.

The motion to rescind &c annul the judgment heretofore entered, dismissing this cause was argued by Mr Albert Pike in support of the same, and by Mr F. J. Collenden in opposition thereto, Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

John Maguire 78. vs. Pff. in Error. Mary S. Tyler et al

Ordered by the Court that the motion of Mr Pogue to rescind the decree in this cause be set for argument on Friday the 11th

of April next.

---

657 James P. Sautter
vs. Appellant,
The Nashville Chattanooga
R.R.Co. The Nashville and
Northwestern R.R.Co. John
M. Bass, Orville Ewing,
E.H. Cole, R.J. McKinney,
Francis B. Fogg, Archibald
Wright, John C. Brown,
J. K. Butler, & E.R. Sennebaker.

Mr. K. Cooper
of counsel
for the
appellees
having
filed and
read on
open court
the follow-
ing certif-
icate, to wit;

James P. Sautter
vs. Complainant,
The Nashville Chattanooga R.R.Co.
The Nashville & Northwestern R.R.Co.
John M. Bass, Orville Ewing, E.H.
Cole, Robert J. McKinney, Francis
B. Fogg, Archibald Wright, John
C. Brown, J.K. Butler, and E.R.
Sennebaker, defendants.

I, E.R.
Campbell, Clerk of the Circuit, Court

of the United States, for the Middle District of Tennessee, do hereby certify that at the April Term 1872. of said Court, the above named cause being then pending in said Court, on its equity side, the above named defendants filed general demurrers to the bill, and amended bill of the complainant, and the said demurrers were, at the said term, upon argument of counsel on both sides, sustained by the Court and the said bill & amended bill dismissed with costs, and a decree accordingly was drawn up and regularly entered upon the minutes of the said Court, & from the said decree, an appeal was at once, in open court prayed and granted upon bond being given for the payment of costs which was done and a transcript of the record was made out accordingly, but has never been called for by the said appel-

Court.

I further certify that the said parties Complainant & Defendants aforesaid at the October Term 1872. of said Court appeared in open Court by their Solicitors and stated that the matters of litigation between them in said cause, had been compromised and settled that as part of said Compromise the Complainant had agreed to release errors, if any, in the decree dismissing his said original and amended bill, and no further to prosecute his appeal, and the defendants had agreed to pay the costs which has been done, & an entry was by consent of parties entered on the minutes of the Court embodying the terms of said agreement of compromise

In testimony whereof, I the said E. K. Campbell, Clerk as aforesaid have hereunto set my hand

and affixed my official seal being the seal of said Court this 30th day of December 1872.

E. R. Campbell
Clerk U.S. Cir Court."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Middle District of Tennessee be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding

per Mr Justice Clifford.

658. John H. Wood vs Plff in Error. Henry Buck, Mary F. Wilson, Levi Wood, P. H. Wood, & others heirs and devisees of Polly Wetherhead decd.

Mr H Cooper of counsel for the defendants in error, having filed & read in open Court the following

Certificate to wit:

The State of Tennessee

Henry Buck et al. heirs and devisees of Polly Wetherhead, decd. vs W. B. S. Williams & John W. Wood.

I, John H. Freeman Clerk of the Supreme Court of the State of Tennessee for the Western Division of said State at Jackson, do hereby certify that on the 27th day of June A.D. 1872, in the above named cause a writ

of error was duly sued out and allowed by the order of the Honorable A. O. P. Nicholson, Chief Justice of the said Supreme Court, then sitting at Jackson at the suit, and in the name of John W. Wood defendant in said cause as plaintiff in error, and of Henry Buck, Mary F. Dixon, Lew Wood, Pet Wood, and other devisees of Polly Netherland, H. C. H. Buck, Jas. G. Buck, Henry and Ann E. Buck his wife, Esther Neal, and Agnes M. his wife, John W. Pratt and Frances E. his wife, Henry T. King, Osca King, Wiley L. King, Flora F. King, James S. Payne, John Winn, and Mary C. his wife, J. F. Carter, and Sarah E. his wife, John B. Payne, Robert Blair, and Mary A. P. his wife, Christiana Thomas, Edward Massingale, Virginia E. Spotswood, James Netherland, Selena, Susan A. William J. and Nathan L. King, Catherine Kersey, W. R. Leath and Sarah his wife

E. D. Goodall and Harriet his wife, Charles E. Smith and Mattie his wife, Anna, William, Arthur, and George Ray, Thomas J. Malone, Thomas H. Winne and wife Susan, and John H. Malone complainants in said cause as defendants in error, directing the removal of said cause to the Supreme Court of the United States for the purpose of reviewing a decree in favor of the complainants and against the plaintiff in error, entered on the 27th day of June A.D. 1872, the same decree being for the recovery of certain lands therein mentioned and described and declaring the title of the said defendants to be invalid and void and the same ordering a writ of possession for said lands and remanding the cause to the First Chancery Court of Shelby County for the purpose of taking an

account between the parties. And on the same day a citation was duly signed and issued by the said Chief Justice & service thereof acknowledged by Jr. B. Hinshill, Solicitor for the complainants in said suit; and that a bond for costs was executed and approved by said Chief Justice, and that the said writ was in all respects duly sued out and allowed.

In testimony whereof, I have hereto set my hand and affixed the Seal of the Court at office in the City of Jackson on this the 4th day of March A.D. 1873, and of American Independence the 97th year.

Seal

John H. Freeman
Clerk

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this

court, or on anyway to prosecute said writ of error, now here moved the court on pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Supreme Court of the State of Tennessee, be, and the same is hereby docketed and dismissed with Costs. And that this Cause be, and the same is hereby remanded to the said Supreme Court, to be proceeded on according to law and justice the said writ of Error notwithstanding

per Mr Justice Clifford.

N. A. McPhail et al
330 vs. Pipps in Error.
John H. Sapsley.

Ordered by the Court that the motion filed by Mr Durant for a writ of certiorari in this Cause be, and the

same is hereby set for argument on Friday the 4th day of April next.

---

639. John F. Putnam et al vs. Ezekiel R. Day -- Appellants. | The motion to dissolve the injunction in this cause was submitted to the consideration of the Court on printed arguments by Mr S. Burke in support of the same, and by Hon. Mc. Kerr in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises but time to consider.

---

182. Wm E. Adgar adm.r &c. vs. Riff. in Error, Wm E. Alston Ex.r &c. | This cause was argued by Mr W. H. Boyce of Counsel for the defendant in Error & submitted on printed arguments by Mr W. A. Maby, and Mr Thomas

J. Simmes of counsel for the plaintiff in Error.

Edward Ryan
183 vs Plff in Error
Cauffman Rockstal

This cause was submitted to the Consideration of the Court on the record and printed argument by Mr J. J. Sutherland of counsel for the plaintiff in error, and by Hon George W Edmunds for the defendant in Error.

John McK Gunn
185 vs Plff in Error
Charles F. Barry

This cause was argued by Mr S. Phillips of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

The Putnam Fire Insurance Comp'y.
86. vs Plff in Error.
Delos L. Holden

This cause was argued by Mr W. F. Cogswell of counsel

for the plaintiff in error; and by Mr J. M. Ashton for the defendant in error.

Brigham Young Trustee &c. Plaintiff in error,
187 vs.
William S. Godbe.

This cause was submitted to the

Consideration of the Court on the Record and printed argument by Mr Thomas Fitch and Mr C. J. Hillyer of counsel for the plaintiff in error. No counsel appearing for the defendant in Error.

F. D. Perris surv'g partner &c.
188 vs. Plff in Error.
Dft's. G. Higby et al.

This cause was argued by Mr Thomas Fitch and submitted on printed arguments by Mr C. J. Hillyer of counsel for the plaintiff in Error. No counsel appearing for the defendants in error.

---

189. Jerrubable Snow vs. Piff in Error. The United States. | This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Thomas Hoch and Mr C. J. Hellyer of counsel for the plaintiff in error, and by Mr Assistant Attorney General Hill for the defendant in Error.

---

190. The Police Jury of the Parish of Tensas. vs. Piff in Error. A. C. Britton et al. | This cause was submitted to the consideration of the Court on the record & printed arguments by Mr E. T. Merrick and G. W. Race of counsel for the plffs in Error, and by Mr W. A. Meloy, and Mr Thomas J. Semmes for the defendants in Error.

---

191 Thomas L. Marshall vs. Henry Knox &c. Assignee &c. Appellant

This cause was submitted to the consideration of the court on the record and printed arguments by Mr E. T. Merrick and L. H. Race of counsel for the appellant. No Counsel appearing for the appellee.

---

193 The St. Paul Water Co. vs Edward B. Ware. Plff in Error.

This cause was argued by Mr Wheeler H. Peckham of counsel for the plaintiff in error, and submitted on printed arguments by Mr M. Dunphey for the defendant in error.

Proclamation being made the Court was adjourned until Monday the 31st of March at Eleven o'clock.

Monday March 31st. 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The State ex rel James Robt Aud Chas T. Lounder, trustees. vs. Pliff in Error Wm Gurney, county treas. of Charleston Co.

In Error to the Supreme Court of the State of South Carolina.

62

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of South Carolina and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting Mr Justice Hunt.
Mr Jus Davis.
" Strong.

The State ex rel Thos J Hagner. Plff in Error, vs John R Hall, County Treasurer of Charleston County.

In error to the Supreme Court of the State of South Carolina -

163.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina and was

argued by counsel On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs
Dissenting per Mr Justice Hunt
Mr Jus Davis
" " Strong.

---

53. The City of New Orleans vs Myra Clark Gaines. Appellant | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this

Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that, similar decrees bear in the Courts of the State of Louisiana.

per Mr. Justice Hunt.

The New Orleans Mobile and Chattanooga R. R. Co. now called The New Orleans Mobile & Texas R. Co. vs John Hanning.

In Error to the Circuit Court of the United States for the District of Louisiana.

153.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered & adjudged

by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Hunt

Edward J. Hanrick adm'r of Edward Hanrick deceased.

vs

Pltff in Error

Geo. W. Barton, John Barton, Jas. B. Barton, Heirs of Jno Barton, dec'd et al

In error to the Circuit Court of the United States for the Western District of Texas.

71

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per: Mr Justice Bradley.

---

53. Horatio J. Wood. vs. Peffer Error. The County Board of Supervisors of Fond du Lac County. | In error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the

same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. per Mr Jus Strong.

Dissenting
Mr Chf Jus. Chase.
" Justice Miller
" " Davis.

---

131. John Phelps Putnam, Herman Ely, H. Ely, Ex.rs of C. Arthur Ely, deceased, v Stephenson Burke. vs. The New Albany, and Sandusky City Junction R.R.Co. Thomas L. Smith, John S McDonald et al. Appellants

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Indiana and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

T. W. Cordova Assignee in bankruptcy of Zenas Bartlett, — Appellant. vs Mary Hood, T. C. Hood, Exrx & Exr of H. M. Hood Sr, decd, L. G. Keogan and J. S Hanna.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States,

for the Western District of Texas and was argued by Counsel On consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the complainant against Scogin and Hanna the appellees & defendants below. per Mr Justice Strong

589 The Chicago Burlington and Quincy R. R. Co Plaintiffs vs. The County of Cloe

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel - On consideration whereof, it is the opinion of this Court: 1st That the act of February 15. 1869. is not unconstitutional, and 2nd That the County Commissioners of Otoe County could lawfully issue the bonds from which the coupons in suit were detached without any submission to a vote of the people of the County of the proposition to approve the bonds or a tax for the payment there of. Thereupon

it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

Dissenting for Mr Jus. Strong
Mr Chief Jus. Chase
" Justice Miller
" " Davis.

John Farrall
168. vs. Pltff in Error
D. St. Bauney Hsq.
N. Jones Jewell Esq.
Lane Henry Wells,
Wm. J. Fargo and ja.
McKay.

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit

Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California.

per Mr Justice Field.

Reuben Tomlinson, John R. Stoll, Philip Heller, Dr. R Campbell R J Humphrey & H. M. MacKay, H. W. Ward, Robert Collins and T. C. Cox.

125. vs. Appellants.

Morris K. Jesup.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, it is now here ordered

adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the suit.

per Mr Justice Field.

The City Council of Charleston & Geo. Addison. Appellants, vs. Morris K. Jessup. Appeal from the Circuit Court of the United States for the District of South Carolina.

534

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, it is now here ordered

adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, & the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the suit.

per Mr Justice Field.

Mary Walker, J. Walker, and J. McAlpine. vs. Sipes. in Error, from Hanshaw, C. Kochen, W. R. Reese, J. M. Reese, & Frederick Whyble et al	In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel On Consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the

said Supreme Court in this cause be, and the same is hereby affirmed with costs. per Mr Justice Davis.

1141 Hamilton Slawson jr. vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

S. A. Stockdale Collector of Internal Revenue.
133. vs. Pltff. in Error.
Boswell Hoekart & Co a commercial firm composed of Jas. T. Boswell, Justin Hoekart, and Jean S Mellecur.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State

Monday March 31. 1873. Continued.

of Louisiana.

per Mr. Justice Miller.

S. H. Stockdale collector of Internal Revenue. 34 vs. Pffn Error. Henry Michel, Leopold Christ, and Emile Torregrossa as Michel & Co.

Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments

bear in the courts of the State of Louisiana).

per Mr Justice Miller.

The Kansas Pacific Railway Company.	In error to the Supreme Court of the State of Kansas.
388. vs. Peff in Error.	
John H. Prescott	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby Reversed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court, for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Miller.

The Kansas Pacific Railway Company. Plff in Error.	In error to the Supreme Court of the State of Kansas.
389 vs. Charles C. Cleep	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein, in conformity with the opinion of this court.

per Mr Justice Miller.

James B. Hacker. | In Error to
123 vs. Plff in Error. | the Supreme
Wm H. Whitehead. | Court of the
| State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Supreme Court, in this Cause be, and the same is hereby affirmed with costs. And that this Cause be, and the same is hereby remanded to the said Supreme Court with instructions to enter a judgment reversing the judgment of the Superior Court of Baker County & for further proceedings to be had therein, in conformity with the opinion of this Court.

Per Mr Justice Swayne.

Jose Ribon, Jose Muniz, Richd H. Clark, Sylvester Marsh, & Wm Sohier.	Appeal from the Circuit Court of the United States for the Dist of Iowa.
30 vs Appellants.	
The Chicago Rock Island & Pacific Railroad Co. & The Mississippi and Missouri Railroad Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by Counsel On consideration whereof, it is now here ordered and judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne

John M. K. Sunn
155. vs. Plff in Error.
Charles F. Barry.

In Error to the Supreme Court of the State of Georgia

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with instructions to enter a judgment reversing the judgment of the Superior Court of Randolph County, and for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Swayne.

Monday March 31. 1873 Continued.

The Steamer "Cayuga" her Engine &c. The Hudson River Steamboat Company Claimants-

21. vs. Appellants-

Oliver C. Wilson and John Vergen.

Appeal from the Circuit Court of the United States for the South ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed, with costs and interest, until paid at the same rate per annum that decrees bear in the Courts of the State of New York per Mr Justice Clifford.

132. The City of Richmond vs. Iliff in Error, Henry Smith who sues for the use &c., of Alexander Clendenin.

In error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs and interest and paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

per Mr Justice Clifford.

Dissenting
Mr Justice Bradley.

Monday March 31 1873. Continued.

Benjamin F. Thomas
Deputy Internal Agent,
U.S. Treasury Department.
135. vs Pltf, in Error.
John F. Green.

On error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And modified by disallowing the sum of six thousand dollars included in the verdict, for counsel fees. And that this cause be, and the same is hereby remanded to the said Circuit Court with direction to enter judgment for the plaintiff for the residue of the verdict.

The New Orleans Insurance Company.
vs. Plaintiff in Error,
Ronaldo Faggiani

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs, and modified by disallowing the sum of $3000. damages, and the interest allowed on the same and that this cause be, and the same is hereby remanded to the said Circuit, Court with directions to enter judgment for the plaintiff for the

residue of the verdict with interest.

per Mr Justice Clifford.

The American Steamboat Co.		Error to the Supreme Court of the
100 v.	Plaintiff in Error,	
Hugh R. Chase, administrator of George Coat, deceased.		

State of Rhode Island.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Rhode Island and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Rhode Island.

per Mr Justice Clifford.

---

181 William H. Garland
& Stiff in Error
George J. Foster.

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest, and paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Concurring. for Mr. Justice Clifford.
Mr. Justice Strong,
Mr. Justice Hunt.

Proclamations being made the Court was adjourned until tomorrow morning at Eleven o'clock.

Tuesday April 1. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Ware Middleton Clerk.

Proclamation being made the Court is opened.

---

139 Thomas Ayres, and Elen A. Gamble Executrix &c. vs. The British Steamer "Queen" her tackle &c, The National Steam Navigation Co Claimants.

Appeal from the Circuit Court of the United States for the Southern District of New York.

William D. Shotland
vs
Geo. S. Boker & Co. } In error to the Circuit Court of the United States for the Southern District of N. York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs & interest, to be paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Mr. Justice Strong. for Mr. Justice Clifford.
Mr. Justice Hunt.

And the Court being ready the Court was adjourned until tomorrow morning at Eleven o'clock.

Tuesday April 1. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

---

139 Thomas Ayres, and Elen A. Jamble Libellants vs. The British Steamer "Queen" her tackle &c, The National Steam Navigation Co. Claimants.

Appeal from the Circuit Court of the United States for the Southern District of New York.

Tuesday April 1. 1873. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion it is now here ordered & adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

By a Divided Court.

The Phoenix Fire Insurance Company
vs.
Delos L. Holden

In error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel. The resulting judgment in Division On consideration whereof, it is now here ordered and adjudged

of this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs. By a divided Court.

---

211. Christopher Cammack jr. vs Margaret F. Lewis. | On motion of the motion to dismiss this appeal and of the arguments of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court, that said motion be, and the same is hereby denied.

per Mr Chief Jus. Chase.

---

325. Jeremiah McMason vs Stiff in Error, John F. Moore, admt. &c. of Ira Moore deceased. | Error to the Supreme Judicial Court of the State of Maine.

On consideration of the motion filed

and this cause on a day of the last
term of this Court to wit, the 27th
day of May A.D. 1872, by Mr A. P.
Chapman of Counsel for the plaintiff
in error. It is now here ordered by
this Court, that a writ of supersede-
as be and the same is hereby award-
ed to be directed to the Sheriff of
the County of York, in the State of
Maine, commanding & enjoining
him and his deputies to stay every
and all proceedings upon the writ
of fieri facias, issued from the Supreme
Judicial Court of the State of Maine,
by a judgment obtained in said
Supreme Judicial Court, by
John F. Moore, administrator
de bonis non &c, of Ira Moore
deceased, against Jeremiah Mc
Mason, and that he return the
same in connection with this supersedeas
to the said Supreme Judicial Court.
And it is now further ordered
by this Court that the judges of
the said Supreme Judicial Court,

cause the said writ of execution to be quashed.

per Mr Chief Justice Fuller.

360 The United States vs. Appellants, The Steam Ferry Boat Nuestra Senora de Regla &c. The Compagnia del Ferro, Canal de la Bahia, de la Habana, a Matanzas - Saimant,

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby reversed. And that this cause be and the same is hereby

Decreed. And that this cause be, and the same is hereby remanded to the said District Court, for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Chf Jus. Chase.

---

587. Edgar Marin et al. vs George A. Talley | On consideration of the motion to dismiss this appeal, and of the argument of counsel thereon had as well in support of, as against the same it is now here ordered by this court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

---

193. Wm N. Glover et al. vs Plffs. in Error. William G. Prentice. | On motion of Mr Phillips it is ordered that this cause be and the same is hereby

Continued to the next term.

Alfred B. Ely
203 vs. Complainant,
James G Benton.

Mr Butler for the complainant, having stated that the matters in controversy in this cause had been settled, moved the court to pass the cause when reached - On consideration whereof, it is now here ordered that, said motion be, and the same is hereby granted.

Duff Green et al.
235 vs. Pltffs in Error.
Wm. Bayne et al.

Mr Allard Pike of counsel for the plaintiff in Error, having suggested to the Court that, the plaintiff in Error, was prepared to file the record and have the case docketed pursuant to the rules of this court, moved the court to recall and annul the judgment of this court entered on the 29th day of January

A.D. 1873 docketing and dismissing this writ of error. On consideration whereof it is now here ordered by this Court that the judgment of the 29th of January 1873 docketing and dismissing this writ of error, be, and the same is hereby rescinded and annulled, and that the plaintiffs in Error have leave to file their case, and have the same docketed in conformity to the rules of this Court, upon payment of costs.

per Mr Chief Jus. Chase.

---

156. | Jas. M. Carnichael et al. vs. Jeffs. in Error James Wharenby. | On motion of counsel it is ordered by the Court that this cause be, and the same is hereby assigned for argument on the first day of the next term.

Tuesday April 1. 1873. Continued.

533. The United States vs Plaintiffs / Elijah R Sapaugh. | Ordered by the Court that this cause be assigned for argument on Tuesday next the 9th instant.

---

196. The Board of Public Works of Virginia. vs Appellant / The Columbia College et al | This cause was argued by Mr Walter S. Cox, of counsel for the appellant, & by Mr Walter D. Davidge of counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Wednesday April 2. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Henry, Middleton Clerk.

Proclamation being made the Court was opened.

John M. Lapsley
vs.
The United States.

This cause was argued by Mr P. Phillips & counsel for the appellant, and by Mr Attorney General Williams, and Assistant Attorney General Hill & Counsel

for the appellees.

---

106. Thomas Murdock et al. vs The Mayor &c. of Memphis. Pffs. in Error. | The re-argument of this cause

was commenced by Mr. J. B. Heiskell of Counsel for the Plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday April 3rd 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

The motion first made to the Court in this behalf by Mr P Phillips it is ordered that John H. Ross Esquire of Washington City District of Columbia, be admitted to practice as an Attorney & Counsellor of this Court, & he was sworn accordingly.

Thursday April 3rd 1873. Continued.

Thomas Murdock et al.	The argument of this cause
106. vs Plaintiffs in Error.	was con-
The Mayor &c of Memphis.	

tinued by Mr W. F. Otto and Mr J. D. McPherson of counsel for the defendant in error, & concluded by Mr P. Phillips for the plaintiff in error.

Hugh Carlisle et al.	This cause
270. vs. Appellants.	was argued
The United States.	by Mr J.
	D. McPher-

son of counsel for the appellants, and by Mr Assistant Attorney General Hill, and Mr Attorney General Williams, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 4th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

Wm. L. Hackaday Esqr. Marshal.
Daniel Hesley Chamberlain Clerk.

The Journal being read the Court is adjourned.

On motion first made to the Court in his behalf by Mr. S. C. Cook, it is ordered that J. C. Hoge and Milton C. Story Esquires of Chicago, State of Illinois be admitted to practice as an attorneys & counsellors of this Court & they were sworn accordingly.

On motion first made to the court in this behalf by Mr Solicitor General Phillips it is ordered that A. H. Guion Esquire of Charlotte, State of North Carolina be admitted to practice as an attorney & counsellor of this court He was sworn accordingly.

The Knickerbocker Insurance Company.
366. vs. Pliff in Error.
Gardner S. Comstock etal.

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr Thomas Dent, in support of the same, and by Mr J. C. Story in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Friday April 4th 1873. Continued -

39 The United States vs Plffs in Error. John F. Van Buskirk et al. | On motion of Mr Assist. Attorney General Hill

Leave is hereby granted the Clerk to issue the Mandate in this cause.

---

308 Joseph H. Frizell, John I. Hemer, John E. Mitchell, Michael Spaya, David H. Mecker, & Jno. C. McKenney. vs Plffs. in Error. The United States.. | In error to the Circuit Court of the United States for the

Northern District of Ohio -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and on the motion of & motion of Mr Assistant Attorney General Hill, and stipulation of Counsel on file it is now here ordered and adjudged by this court

that the writ of error in this cause &c. and the same is hereby dismissed at the costs of the plaintiffs in error.

per Mr Justice Clifford

76.	Joshua Ud Edwin Atkins. vs. The Fibre Disintegrating Co.	On motion of Mr Bancroft

It is ordered by the Court that this cause be assigned for argument, on Tuesday next the 8th instant.

233.	Solomon Culver, use of J. Schiffer & Comp'y. vs. The United States.	On consideration of the motion of Mr Merriman

it is now here ordered by the Court that a rule issue to the Judges of the Court of Claims, requiring and commanding them to forthwith certify to this Court a finding of the conclusions of law upon which the judgment in this

cause was based.

N. A. M. E. Phaulet al.		Mr. T. J.
520 vs.	Plffs. in Error.	Durant
John D. Sapsley		of counsel

for the plaintiff in error, having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

First: A testimonio of a power of attorney from Thomas Vega, Jose Maria Aguirre and Rafael Aguirre, the said power of Attorney being Samuel May Williams, dated the 5th day of May 1832, the said testimonio being executed by Juan Gonzales, with his proper assisting witness, and duly recorded in the Counties of Galveston & Harris, in the State of Texas after being proved - Second. A deed of Thomas de la Vega by his attorney in fact, Samuel M. Wil-

Lands for eleven Leagues of Lands
to M. B. Menard and Nathaniel
F. Williams in trust for Mrs Sophia
St John dated the first day of
May A.D. 1840, duly acknowl-
edged and recorded in the Counties
of McLennan, and Limestone, in
the State of Texas.

Third. Release from Tomas
de la Vega by his attorney Sam-
uel M. Williams of date first
day of July A.D. 1850, to Sophia
F. St John, for the same land,
duly acknowledged and recorded
in the County records of McLen-
nan, State of Texas

Fourth Deed for the same land
from Nathaniel F. Williams
and M B Menard acting in
the capacity as the trustees of Sophia
F. St John, and at her request
to Thomas M League, dated
the first day of July A.D. 1850,
duly acknowledged and recorded
in the County of McLennan State

of Texas.

Fifth - Deed for the same land from W. B. Menard and Nathaniel F. Williams trustees of Sophia J. St John to Thomas M. League dated the first day of July A.D. 1850, and duly acknowledged.

Sixth. Deed of ratification by Sophia J. St John, confirmed by her husband Samuel St John jr to Thomas M. League of the two deeds mentioned in subdivision 4 and 5, dated nineteenth day of August A.D. 1850, and duly acknowledged.

Seventh Deed for the same land from Sophia J. St John and Samuel St John jr. by their agent & attorney Isaac De Cordova, to Thomas M. League, dated 1st day of July A.D. 1850, and duly acknowledged.

Eighth Deed from Thomas M League for the same land to John M. Lafaley, dated the first day of July A.D. 1850, and duly acknowledged and

recorded in the County of McLennan State of Texas

Ninth - Deed of confirmation from Sophia J. St John to Thomas M. League confirming the sale of said land as made to the said Thomas M. League (and said claiming to him said League) by her trustee M B Menard and Nathaniel F. Williams, dated the eighth day of July A.D. 1850, and duly acknowledged and recorded in the County of McLennan State of Texas.

Tenth Deed from Thomas M League for the same land to John Wesley dated the ninth day of July A.D. 1850, all of which are original papers -

By reason of which omissions and errors aforesaid, the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Western

District of Texas Commanding them that, searching the records and proceedings of said Court, in this cause, they shall certify to this Court, under the seal of the said Circuit Court, whatever omissions and Errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court, that a writ of certiorari be and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States, for the Eastern District of Texas commanding them that, searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court, whatever omissions and errors shall be found in said cause, and return the same with the said writ of certiorari forthwith to this Court.

per order Justice Clifford.

The Chicago & North western Railroad Co. vs. Plaintiff in error. Isaac N. Arnold &c. &c.	On motion of Mr. Ashton Leave is hereby granted the the Clerk to issue the mandate in this cause.

Jonathan McCain et al. vs. Plffs. in Error, The United States	Ordered by the Court that this cause be passed until Thursday the 10th inst.

Ex parte N. G. Hammond et al. Petitioners.	Mr. P. Phillips filed petition for an appeal in this cause, or in the alternative a mandamus directing the Judge of the District Court U.S. for the District of Louisiana to allow an appeal.

Frederick W. Hammond &c. vs. The Mayor of Georgetown.	This cause was argued by Mr. H.

Book of Common for the appellee, and submitted on printed argument by Mr Samuel Tyler of Counsel for the appellant.

The United States
vs
Francis S. Lyons.
203. vs Sitgs. in Error,
Thos C. Brown et al.

This cause was argued by Mr P. Phillips of Counsel for the plaintiffs in error, and submitted on printed arguments by Mr John T. Morgan for the defendants in Error.

E. A. S. Merrill et al.
204 vs. Appellants,
Fred'k Mayfield &c.
and
A. S. Merrill et al
1135 vs. Appellants.
John F. Kelly et al.

These causes were argued by Mr R. H. Handley of Counsel for the Appellants and by Mr F. A. Wilcox for the appellees.

Friday April 11th 1873. Continued.

79	The Central Pacific Railroad Company vs. Pltffs. in Error, The State of California	Mr J. D. McPherson prays leave to dismiss the writ of error in this cause.

120	The Norwich and Worcester Railroad Co. vs. Pltffs. in Error, Charles Johnson.	On motion of Mr. S. Hutchins, Counsel in behalf of the Court. Ordered the Mandate in this cause.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday April 7. 1873.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices -

Chas. P. Stanley Esquire Marshal -
Daniel Henry Mallielieu Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Mat H. Carpenter, it is ordered that Junius Simons Esquire of Washington City District of Columbia and F. H. Pitkin Esquire of Milwaukee State of Wisconsin be admitted to practice as attorneys and counsellors of this court, and

they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. P. Phillips it is ordered that Nathaniel Myers Esquire of St Louis, State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

39. The United States vs Pitts. in Error. The Balto & Ohio R.R. Co. | Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this

cause be, and the same is hereby affirmed. per Mr Justice Hunt.

Dissenting
Mr Jus. Clifford.
" Miller.

Moritz Deitsch
197 vs. Plff in Error
H. B. Higgins, Sam
el Hunt, & A. Hurl,
partners Hunt
Higgins & Compy.

In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by Counsel. On consideration whereof, it is now ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award

a venire facias de novo.

per Mr Justice Strong.

Louis Hanauer
vs. Plaintiff,
Hiden M. Woodruff.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel On consideration whereof, it is the opinion of this Court, that the first two questions certified to us, must

be answered in the affirmative. The third question does not show any matter upon which the judges of the Circuit Court were divided in opinion but in any event, it requires no answer. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Justice Field.

Armenda Eugenia Crosby Survivor &c. — Appellants
vs.
J. S. Beale, Jr. & Hallowell admr d.b.n. c.t.a. of Wm. Beale deceased Executor of Robert Beale, deceased. — Appellees

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged

and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

---

79. S. Frank Partridge & W. Appellant
The Phoenix Mutual Life Insurance Co.

In error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, such as paid at the same rate

per curiam that similar payments were in the courts of the State of Missouri. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr Justice Miller.

136. The United States interveners & Plffs. in Error vs. John I Tweed & Benjamin F Flanders deputy general agents of the Treasury Dept Plffs. in Error.

And

Benjamin F Flanders deputy & general agent of the Treasury Department of the United States.

361 vs. Plffs. in Error, John I. Tweed.

Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and

was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Dissenting per Mr Justice Clifford.
Mr Jus Bradley.
" " Davis.

John Phelps Putnam et al. Appellants.
vs.
Ezekiel R. Day. -

39. On consideration of the motion

to dissolve the injunction in this cause and of the arguments of counsel thereupon had, as well in support of, as against, the same, it is now here ordered by this court, that said motion be, and the same is hereby denied.

per Mr Justice Clifford.

Mr Justice Clifford announced to the Bar that next Friday being Good Friday, the Court will hear motions on Thursday, and adjourn over to Monday the fourteenth instant.

---

11 | Charles K. Marshall vs. Appellant. The Mayor &c of Vicksburg. | On motion of Mr S. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

---

146 | Nathan Hamilton et al vs. Pltffs. in Error Joseph R. Dillon. | On motion of Mr Hall it ordered that this cause be not called before Thursday.

Sir. Collector &c. vs. Pltff in error Sir. Simon Sterne & Landsberg vs. Sir. Collector Collector &c. vs. Pltff in error. The San Francisco Savings Union. | These cases were argued by Mr Hall Att. General Mr Hill and Mr Money General

Williams of counsel for the plaintiffs in error, and by Mr Charles E. Whitehead of counsel for the defendants in error.

208.	Abram & Daniel Walbran. vs. Plffs. in error. J. C. Babbitt, Assignee &c.	The argument of this cause was commenced by Mr D. J. Durand of counsel for the plaintiffs in error.

No further business being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday April 8th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John F. Stanley Esquire Marshal.
Daniel Henry Hitchcock Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr F. H. Peirce it is ordered that R. F. Crowell Esquire of St Paul State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr D. S. Hacker, it is ordered that George H. Gilbert Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

108. Abram & Daniel Vallean vs. Pitts. in Error J. C. Babbitt Assignee &c

The argument of this cause was continued by Mr T. J. Durant of counsel for the plaintiff in error, by Mr Nathaniel Myers of counsel for the defendant in error, and concluded by Mr T. J. Durant for the plaintiff in error.

---

76. Joshua & Edwin Atkins vs. Appellants. The Pere Gin Regrating Company.

This cause was argued by Mr E. D. Ferris of

Mr. Counsel for the appellants and by Mr. Donahue for the appellee.

Elijah Ross Sapaugh, Appellant. vs. The United States.	Ordered by the Court that this cause be assigned for argument on Wednesday the 15th instant, instead of Wednesday the 9th instant, as heretofore ordered.

Recommencing now the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 9th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Kerry Middleton Clerk.

Proclamation being made the Court is opened.

Jacob Hurtbird
vs. } Writ of Error.
The Board of Supervisors of Jackson County.

This cause was argued by Mr M. H. Carpenter of counsel for the plaintiff in error, and by Mr F. T. Pelton for the defendant in error.

Thursday April 9th 1853 continued

Andrew Shannon et al.	On motion
111. vs. Pltffs. in error.	of Mr Solicitor
Joseph K. Dillon	General Phillips. it is

ordered by the Court that this cause be, and the same is hereby continued to the next term.

Silas C. Burrows.	This cause
210 vs. Appellant	was submitted to the
Daniel Conn, Marshal.	consideration

of the Court on the record and printed arguments by Mr F. H. Teese of Counsel for the appellant, and argued by the Solicitor General Phillips of Counsel for the appellee.

Christopher Cammack jr.	This cause
211. vs. Appellant	was argued
Margaret F. Lewis.	by Mr T. T.

Crittenden of Counsel for the appellant, and by Mr D. A. McCallum and Mr F. J. Durant of Counsel for the appellee.

212 George W. Kemp, use &c. vs. The Northern Bank of Kentucky. Appellant | This cause was argued by Mr. H. Boyce of counsel for the appellant and by Mr. P. Phillips of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 16th 1863.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

Mr. Chief Justice Taney,
Mr. Justice Catron,
Mr. Justice McLean,
Mr. Justice Wayne,
Mr. Justice Nelson,
Mr. Justice Grier,
Mr. Justice Field,
Mr. Justice Swayne,
Mr. Justice Miller,
Mr. Justice Davis,
Mr. Justice Clifford,
Mr. Justice Strong,
Mr. Justice Bradley,
Mr. Justice Hunt,

Associate Justices.

John F. Loring Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court, it was ordered by Hon. C. Cushing
It is ordered that Hon. Francis of Brooklyn State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. F. S. Simon it is ordered that J. Mc. Dowell Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

Mr Justice Clifford announced to the Bar that the Court will adjourn on the first day of May next, but will not hear arguments after Friday next the 18th instant

---

203. Alfred B. Ely Complainant. vs. James T. Benton

Mr B. F. Butler of Counsel for the Complainant having suggested the death of Alfred B. Ely the Complainant in this cause, moved the Court for leave to enter the appearance of Henry E. Coe Executor of the said Alfred B. Ely deceased as Complainant in this cause. On consideration whereof it is

now here ordered by the Court that the said Henry E. Cobb Executor as aforesaid be named, and he is hereby made the party complainant, in this cause in the place of Alfred D. Ely deceased.

Henry E. Cobb, Executor of Alfred D. Ely, deceased. Complainant, vs. James T. Denton.	Certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its

opinion according to the act of Congress in such case made & provided and it appearing to the Court from the statement of counsel for the respective parties that the matters in controversy in this cause have been agreed and settled between the parties it is now hereordered, adjudged and decreed by this Court that this cause be, and the same is hereby dismissed - And that it be so certified to the said Circuit Court.

Mr Justice Clifford

---

32. The City of Richmond vs Plff in Error. Henry Smith use &c. Deft. Alexander Clendenin.

On motion of Mr. W. F. Mattingly leave is hereby granted the Clerk to issue the Mandate in this Cause.

The First National Bank of Alexandria. vs Alexander Turnbull etal. | Pff in Error. | On motion of Mr T. J. Durant leave is hereby granted the Clerk to issue the mandate in this cause.

Jonathan M. Daniel et al. vs The United States. | 141 | Pffs in Error. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr J. C. McDonald of Counsel for the plaintiffs in Error & by Mr Assistant Attorney General Hill for the defendants in error.

S. V. Stevenson Collr &c vs John Beggs. | 113 | Pff in Error. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr

Assistant Attorney General Hill of counsel for the plaintiff in error, and by Mr D.S. Burnell and Mr L.D. Cox, for the defendant in error.

215. John Bailey vs. Appellant, Hannibal & St Joseph R.R.Co. | Ordered by the Court that this cause be, and the same is hereby passed for the present.

216. The Steamer Lucille &c. vs. Appellants. W.H. Respass et al. | This cause was argued by Mr W.S Waters of counsel for the appellant, and by Mr T. Hix. Seth, and Mr W.S Bryan for the appellees.

217. The Steamer Commerce &c. vs. Appellant., John T. M. Woodland. | This cause was argued by Mr W. S. Bryan of counsel for the appellants, and by Mr W.S. Waters for the appellees.

Thursday April 10th 1873 Continued -

Holland & Company et al.
215 vs Appellants
L. B. Sumner et al

The argument of this Cause was commenced by Mr J. J. Durand of counsel for the appellants, & continued by Mr Conway Robinson for the appellees.

Proclamation being made the Court is adjourned until Monday morning next, at eleven o'clock.

Monday April 14 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Kelley Middlebrook.

On motion first made to the Court in this behalf by Mr Phillips Phillips, it is ordered that Charles D. Lawrence Esquire of Bedford City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William H. Crapo, George F. Tripp, Joshua B. Tobey, Reuben Nye, Geo. A. Shaw, John E. Williams and Robert Menturn.	in Error to the Supreme Court of the State of New-York.
154 vs. Pffs. in Error, John Kelly, Sheriff of the City & County of New York.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being process of the record and proceedings upon a remittitur from the Court of Appeals of said York, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with Costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein, in conformity

with the opinion of this Court.
Dissenting per Mr Justice Hunt.
Mr Jus. Bradley
" " Field.
Mr Jus Clifford concurs in the judgment but not in the opinion.

---

201. Frederick H. Hameuniller vs. The Mayor, Board of Aldermen, and Board of Common Council of Georgetown, & Jno. H. Seall, collector.

Appellant

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. per Mr Justice Hunt.

Hugh Carlisle, and
George S. Henderson
270 vs. Appellants.
The United States.

Appeal
from the
Court of
Claims.

This cause came on to be heard on
the transcript of the record from
the Court of Claims, and was argued
by counsel. On consideration where-
of it is now here ordered & adjudged
by this Court, that the judgment of
the said Court of Claims in this
cause be, and the same is hereby
reversed. And that this cause be &
the same is hereby remanded to
the said Court of Claims with
directions to enter judgment in
favor of the claimants for the sum
of forty three thousand two hundred
and thirty two dollars, the net pro-
ceeds of the sale of the cotton.

Mr Justice Field

The Butchers Benevolent Association of New Orleans. vs. Piffs in Error. The Crescent City Live Stock Landing & Slaughter House Company. | In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said Supreme Court, in this cause be, and the same is hereby affirmed, with costs.

per Mr Justice Miller.

Dissenting
Mr Jus. Field
" " Bradley
" " Swayne
" Ch Jus Chase.

Paul Esteban, L. Auch, J. P. Rouede
M. Trigale, J. Fromberg, J. Beaulay,
William Fagan, J. Broderick, J.
Seibel, M. Lemmes, J. Gelzinger,
J. P. Aycock, D. Verges, The Live
stock Dealers and Butchers
Association of New Orleans,
and Charles Cuvaro -
v. J. Pitts in Error
The State of Louisiana
and S. Belden. Atto. Gen.

In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Dissenting
Mr. Justice Field
Bradley,
Swayne,
Davis

per Mr. Justice Miller.

10. The Butchers Benevolent Association of New Orleans vs. The Crescent City Live Stock Landing & Slaughter House Company.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting Mr. Justice Miller.
Mr. Jus. Field
" " Bradley
" " Swayne
" Jus. Chase

Adjournment being made the Court is adjourned until tomorrow morning at Eleven o'clock

Tuesday April 15. 1873.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

Hon. D. Nealey Esquire Marshal -
Daniel Farley Middleton Clerk.

Proclamation being made the Court is opened.

Myra Bradwell
vs. } In error to the Supreme Court of the State of Illinois.
The State of Illinois.

This cause came on to be heard on the transcript & the record from the Supreme Court of the State of

Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this Cause be, and the same is hereby affirmed with costs.

Dissenting per Mr Justice Miller, Mr Chief Justice Chase.

Concurring in the judgment but not in the opinion.
Mr Jus Bradley.
" " Field
" " Swayne.

Edmund J. Davis, Governor, and Jacob Kuechler, Commissioner of the Land Office of the State of Texas.

66. vs Appellants.

John A. C. Gray, Receiver of the Memphis El Paso, and Pacific Railroad Co.

Appeal from the Circuit Court of the United States for the Western

District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Western District of Texas and was argued by counsel. On consideration whereof, it is ordered adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause, be and the same is hereby affirmed with costs.

Separating, per Mr. Justice Swayne.
U. S. Davis
Clerk Supreme Court.

Wm. M. Safeyre vs. Appellant The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof

It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the claimant for the sum of nine thousand nine hundred and fifty-nine dollars, and sixty-six cents, the net proceeds of the sale of the cotton.

Per Mr Justice Swayne.

Davis Justice. I concur in the judgment in this case.

Dissenting.
Mr Jus Hunt.
" " Bradley
" " Miller,
" " Field,

202. The United States and Francis S. Lyon, James Crawford, William H. Ross, Jas. G. Bronder, John Cowin, Bryan Mulfield, Jas. H. Gipson, Francis Forges, & N. S. Vann. vs. Pltffs. in Error, Thos. C. Brown, Guy Huckabee, Caswell C. Rinehart, Hutchinson M. Smith, N. S. Huntington, Francis H. Hawks, and Alexander K. Shepard. | In Error to the District Court of the United States for the Middle District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed for the want of jurisdiction

in the Court below. And that this cause be, and the same is hereby remanded to the said District Court, with directions to dismiss the case including the original and amended informations, and the Claims of all the Claimants.

per Mr Justice Clifford.

---

360 The United States Appellants
vs
The Steamboat Angelina Sonora &c
Cayla &c.

Motion of Mr A.G. Attorney General Hall, that it is hereby ordered that the Clerk

to issue the mandate in this cause.

---

224 The United States Appellants,
vs
A.K. Henry.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and

on the motion of Mr. Hubbard, Attorney General, Counsel for the appellants, it is now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

---

53 John A. Allen assignee Appellant vs. Eliza E. Massey et al. | On motion of Mr Gantt leave is hereby granted the Clerk to issue the Mandate in this cause.-

---

96 S. McIntyre Appellant vs. The United States | On motion of Mr. J. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

---

71 Fortune Company et al. Appellants vs. R. B. Sumner et al | The argument of this cause was continued by Mr Conway

Robinson of counsel for the appellees and concluded by Mr T. J. Durant for the appellants.

---

197 | W. H. Moon et al. as Appellants vs C. E. Huntington, admx. | The argument of this cause was commenced by Mr John A. Nobles of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday April 16. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that John V. L. Findlay Esquire of Baltimore State of Maryland be admitted to practice as an Attorney & Counsellor of this Court, & he was sworn accordingly -

398. The Baltimore & Ohio R.R. Co. vs. Pitcairn in Error. The State of Maryland

The motion to dismiss this cause was submitted to the consideration of the Court on the record & printed argument by Mr J. N. Steele and Mr Wallis in support of the same, and by Mr J. H. B Latrobe, and Mr Gwinn in opposition thereto. Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

---

574. The Central Pacific Railroad Company vs. Pitcairn in Error. The People of the State of California.

In Error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record.

from the Supreme Court of the State of California and on the motion of Mr J. D. McPherson of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that the writ of error, in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

---

197 William H. Moore et al. vs. H. E. Huntington admr. Appellants. | The argument of this cause was commenced by Mr John H. Noble of counsel for the appellants by Mr H. H. MacFarland of counsel for the appellees, & concluded by Mr H. M. Cook of counsel for the appellants.

---

215 Chas Bailey vs Appellant Mr Connell & St Joseph R.R.Co. | The argument of this cause was commenced by Mr James Carr of counsel for

the appellee.

Mr W. M. Evarts on behalf of a Committee of the Bar of the second Circuit, presented to the Court the proceedings of a meeting of that Bar, held upon occasion of the retirement of Mr Justice Nelson from the Court, accompanying the presentation with a brief address to the Court.

To which

The Chief Justice made the following reply:

We concur most cordially in the sentiments of the Bar of New York, and take great pleasure in ordering that the proceedings now presented be placed and preserved among the records of the Court.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday April 17. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Tiesby Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Hiram Hunt junior Esquire of Albion State of New York be admitted to practice as an attorney and counsellor of this court and he was

sworn accordingly.

215 John Bailey vs. Appellant, The Hannibal & St Joseph R. R Co. | The argument of this cause was concluded by Mr T. T Gantt of Counsel for the appellee and submitted on printed argument by Mr J. R. Shipley and Mr S. F. Glover of counsel for the appellant.

233 The United States vs. Plaintiffs. Elijah Ross Sapaugh. | This cause was argued by Mr Reverdy Johnson of counsel for the defendant and by Mr Attorney General Williams and Mr Asst. Attorney General Hill for the plaintiffs.

219 Oscar F. Averill Adm'r. vs. Plff in Error, Jarvis R. Smith | This cause was sub-

submitted to the consideration of the Court on the record & printed argument by Mr Attorney General Williams, and Mr Sprigg and Attorney General Hill of Counsel for the plaintiff in error, and by Mr Martin & Mr Cooke for the defendant in error

---

W. T. Garratt
221 & Riffin Exrs
Nicholas Siebert

This cause was argued by Mr H. M. Boyce of Counsel for the defendants in error, and submitted on printed arguments by Mr McK Wheaton and Mr T. I Lowell for the plaintiff in error

---

Charles S Hallenbeck Exrs
222 &c Appellants
Wm Douglass Wallach

Ordered by the Court that this cause be

dismissed the same is hereby continued to the next term.

---

223. Paul C. Coffin vs. Appellant / James B. Ogden et al. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

---

225. S. & H. Thomson vs. Piffs in error. / Charles T. Frink. | Ordered by the Court that this cause be the same is hereby passed.

---

226. Fletcher Hastings et al. vs. Piffs in Error / The United States. | Ordered by the Court that this cause be and the same is hereby continued to the next term.

---

227. United States vs Appellants. / Anthony H. Kenny. | This cause was submitted to the consideration of the Court on the record, printed arguments by Mr. Attorney Gen. Hill & counsel for the appellant Mr. Phillips man for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 18. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Lucius Henley Middleton Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr P Phillips it is ordered that, Frank Loomis Esquire of New York City be admitted to practice as an attorney and counsellor of this Court. He was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. C. Coleman it is ordered that Jesse Shepherd Esquire of Rochester State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

---

370. The United States vs Appellants / Joseph Reynes. | This cause was submitted to the consideration of the Court on the record and printed Arguments by Mr Attorney General Williams, and Mr Assistant Attorney General Hill of Counsel for the appellants & by Mr L. Janin of Counsel for the appellee.

---

370. The United States vs Appellants. / Joseph Reynes. | Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said District Court, in this cause be and the same is hereby affirmed

per Mr Chief Justice Chase

Hugh Carlisle et al
vs.
The United States.

On motion of Mr J. D. McPherson Leave is hereby granted the Clerk to issue the mandate in this cause

---

The Merchants Exchange National Bank
vs.
John Thompson
and
Charles F. Mead
vs.
John Thompson Bankrupt.

The motion to dismiss these cases was submitted to the consideration

of the court on printed arguments by Mr E. More and Mr. H. Parker, in support of the same and by Mr E. C. Benedict, in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

639. The City of Rochester vs. Hoff in Error. Roswell Hart, et al

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr W. F. Cogswell in support of the same, and by Mr J. C. Cochrane in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

639 The City of Rochester vs Pfff in Error, Russell Hart et al. | The motion for an injunction in this cause was argued by Mr J. C. Cochrane in support of the motion, and by Mr H. F. Cogswell in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

253 Samuel Henry & Thompson. vs Pfff. in Error Charles F. Frink | This cause was submitted to the consideration of the Court on printed arguments by Mr. I. G. Ridle of counsel for the defendant in Error. No counsel appearing for the plaintiff in error.

Samuel & Henry D. Thompson 225. vs Piffs in Error. Charles T. Frank	In Error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being inspected of the record and proceedings upon a mandate from the Court of Appeals of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

The Northwestern Union Packet Company. 228. vs. Piff, in Error. The Home Insurance Co. of New York.	This cause was argued by Mr Lowrey Mills of counsel

for the plaintiff in error, and submitted on the printed record by Mr Jesse H. McCrary for the defendant in error.

The Northwestern Union Packet Company
928. vs. Plff in Error.
The Home Insurance Co. of New York.

In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Jus. Chase.

---

229. James Hager et al v. Augustus C. Hall, impleaded. | This cause was submitted to the consideration of the Court, on the record and printed argument by Mr Philemon Merrell of counsel for the appellants - No counsel appearing for the appellee.

---

484. Catharine A. Redd, Admx. v. Henry G. Hearll et al. | The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr Richard De Gray in support of the same, and by Mr Thomas J Semmes in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order, to render, in the premises took time to consider.

Clifton H. Moore et al. Appellants
230 vs.
Rufus H. Robbins.

Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

William C. Ray
231 vs. Plff in Error.
Murray F. Smith.

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Solomon Kulmer &c. Appellants
232 vs.
The United States.

Ordered by the Court that this cause be, & the same is hereby continued to the next term.

Wm. J. McConaughy Exr. Plff in Error.
233 vs.
The County Commissioners of Knox Co. Ohio

Ordered by the court that this Cause be and the

Cause is hereby continued to the next term.

---

236. The United States vs Plaintiffs / E. B. Isham | Ordered by the Court that this cause be and the same is hereby continued to the next term.

---

243. Robert A. Reed et al vs Plffs. in Error. / James Gardner. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

---

244. William Stull vs Piff in Error. / Alfred Hendershot et al. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Proclamation having made, the Court is adjourned until Monday Morning the 28th instant at Eleven o'clock.

Monday April 28th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John F. Meaday Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr J. Hall, it is ordered that Henry Edgett Esquire of Santa Fe Territory of New Mexico be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. Bradley Senior it is ordered that Chauncey Shaffer Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that J Gilbert Bell Esquire of San Augustine State of Texas be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

The Mutual Life Insurance Company of New York. Plff in Error.
vs.
Mary Terry.

In Error to the Circuit Court of the United States for the District of Kansas.

166

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the District of Kansas, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, costs paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas. per Mr justice Swayne.

Dismissing
No. 100. Spring.

The Steamer Lewis
& Mary H. Berry, Claimant,
& Pennant
vs. } Appellants
Washington Respass,
Thomas Turner,
W. L. Harding, Sophia
and Lewis Wm. H.
Respass, & ——— Evans.

Appeal from the Circuit Court of the United States for the District of Maryland.

161.	John Riggin vs Plff in Error. John Maguire	In error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with Costs

per Mr Justice Bradley.

191.	Thomas D. Marshall vs Appellant Henry Rose, T & E. Stokes assignees of Nathan G. Smith	Appeal from the Circuit Court of the United

States, for the District of Louisiana.

This cause came on to be heard on the transcript, of the record.

from the Circuit Court of the United States, for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Bradley.

George H. Kentz, receiver of the Commercial National Bank of Natchez.

212. vs. Appellant

The Northern Bank of Kentucky & E Norton & James J. Tarleton.

Appeal from the Circuit Court of the United States for the

Monday April 28 1873 Continued

Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Mississippi & was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause &c. & the same is hereby affirmed with costs. per Mr Justice Field

The Planters Bank of Tennessee
147 vs. Plff in Error.
The Union Bank of La.

and

The Union Bank of La.
170 vs Plff in Error.
The Planters Bank of Tennessee. -

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana. per Mr. Justice Strong.

The Steamer "Commerce" Wilson Barker, trustee claimant,
vs. Appellant.
John A. W. Woodward

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs per Mr Justice Strong.

249 The Merchants Exchange National Bank of New York vs. John Thompson, Bankrupt, Appellant,

250 Erastus F. Mead vs. John Thompson, Bankrupt, Appellant,

Appeals from the Circuit Court of the United States for the Southern District of New York

These causes came on to be heard on the transcript of the

Record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr More to dismiss, which motion was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that these appeals be, and the same are hereby dismissed with Costs.

per Mr Justice Strong.

The Iowa Homestead Co. Appeal from the
vs. Circuit
Appellant, Court of
The Dubuque Navigation the United
and Railroad Co. The Dubuque States for the
Valley R.R. Co. Saml J. Halsall, District
Wm B. Wells, Roswell Burrows, of Iowa.
Edwin C. Litchfield, Wm J.
McAlpine, Richd S. Chapman and

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and

was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause, &c, and the same is hereby affirmed with costs. per Mr Justice Davis.

Mr Justice Miller took no part in the decision of this cause.

---

129. George Colley vs Appellant, Ronald S Burrows. | Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court that the

decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Hiram Walbrum & Daniel Walbrum. vs. Pltfs. in Error. 208. Sam'l C. Babbitt, assignee of Marks, Henderson Bankrupt.

In error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Missouri and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. And that this cause be, &

the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Davis.

The Merchants Mutual Insurance Compy of New Orleans.-

1114 vs Plaintiff in Error, Asahel P. Lyman, and David Swanston.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that, the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And

that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Miller.

William E. Adger
admr of John Adger
deceased.
vs. Pff in Error.
Wm J. Alston, Exr
of William J. Alston
deceased.

In error to the Circuit Court of the United States for the District of Louisiana.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same

is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Miller.

---

211. Christopher Cammack Jr. vs. Margaret F. Lewis. | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

---

667 | Hale Hampton et al. vs Pitts in Error: Cohn & Rouse. | On consideration of the motion to amend the writ of error in this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr Justice Swayne.

---

153 | Edward Ryan vs Pitz in Error: Caufman Kuch, Joseph Mayer, & Abel Goldsmith. | In error to the Circuit Court of the United States for the District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel. On consideration

whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Michigan.

per Mr Justice Clifford

---

193. The St Paul Water Co vs Hoff in Error. Edward B. Ware | In error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel On consideration whereof, it is now here ordered and adjudged,

by this Court, that the judgment of the said Circuit Court in this Cause be, and the same is hereby affirmed with Costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Hon. Mr Justice Clifford.

George Cullen Collector, of Internal Revenue. 2nd Dist. Cal. Plff in Error. vs. The Farmers Savings and Loan Society.

In Error to the Circuit Court of the United States for the District of California.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court

that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Clifford.

George Coulon, Collector of Internal Revenue.
206 vs. Plaintiff in Error.
The San Francisco Savings Union.

In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Clifford.

Jacob Rumbird
vs
Wm H. Tiffin in Error.
The Board of Supervisors of the County of Jackson.

In error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed

with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a fenire facias de novo. per Mr Jus. Clifford.

John C. Burroughs. Appellant
210 vs from the
Samuel F Curran, Mar- Circuit,
shal &c. Court of
the United

States, for the District of South Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Carolina and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Jus. Clifford.

215 John Bailey vs Hannibal & St Joseph R.R. Co

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Clifford

Oscar J. Averell,
Coll[r] of Int Revenue.
219 vs. Pff in Error.
Jarvis R. Smith.

In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Clifford.

Frank R Osborne
agent Southern Express Co.
91 vs. Pltff in Error.
The Mayor, Alder-
men & Common Coun-
cil of Mobile.

In Error to the
Supreme Court
of the State of
Alabama.

This cause came on to be heard
on the transcript of the record
from the Supreme Court of the
State of Alabama, and was argued
by Counsel. On consideration where-
of it is now here ordered & adjudged
by this Court, that the judgment
of the said Supreme Court in this
cause be, and the same is hereby
affirmed with costs.

per Mr Chf Jus Chase.

The Evansville
National Bank
153. vs. Appellant,
The Metropolitan
National Bank of
New York.

Appeal from
the Circuit
Court of the
United States
for the District
of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

Delile P. Ripley admx and James Sutherland admr of the Estate of Hiles J. Ripley deceased.
vs. Plffs. in Error.
The Railway Passengers Assurance Co. of Hartford Conn.

158.

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chf Jus. Chase.

---

113. John A. C. Horn vs. Appellant / S. Lockhart et al. | Ordered by the Court that this Cause be continued, and that it be assigned upon the first Tuesday of the next Term.

---

116. Joshua Atkins et al. vs. Appellants. / The Fibre Disintegrating Company. | Ordered that this Case be continued and that the Counsel in No 279 be allowed

to file briefs upon the question of admiralty law arising in this case, under the 11th section of the judiciary act of 1789. - Such briefs to be filed before the first day of the next term

Order.

The Reporter having represented that owing to the number of decisions at this term it will be impracticable to put the reports in one volume: it is therefore ordered that he publish an additional volume in this year, pursuant to the act of Congress of March 2nd 1867.

Order.

There having been an Associate justice of this Court appointed since the commencement of this term. - it is ordered that the following allotment is made of the Chief justice and Associate justices of said Court among the circuits, agreeably to the act of Congress

in such case made and provided, and that such allotments be entered of record, viz:

For the first Circuit Nathan Clifford, Associate Justice.
For the second Circuit Noah Swayne, Associate Justice
For the third Circuit William Strong, Associate Justice
For the fourth Circuit Salmon P. Chase Chief Justice
For the fifth Circuit Joseph P. Bradley, Associate Justice.
For the sixth Circuit, Noah H. Swayne, Associate Justice
For the seventh Circuit, David Davis Associate Justice
For the eighth Circuit, Samuel F. Miller Associate justice
For the ninth Circuit, Stephen J. Field Associate Justice.

Enoch T Matherson assignee &c. Appellant, vs. Sidney C Howard et al

Ordered by the Court that the motion of Mr Boyce to dismiss this cause be, and the same is hereby continued to the next term.

Lucien B. Maxwell Appellant, vs. Andrew Stewart

Mr John S Watts of counsel for the

Appellant, having suggested to the court that the appellant was prepared to file the record and have the case docketed pursuant to the rules of this court, Move the court to rescind and annul the decree of this court entered on the 15th day of February A.D. 1873. docketing and dismissing this appeal. On consideration whereof, it is now here ordered by this court, that the decree of the 15th of February docketing and dismissing this appeal be, and the same is hereby rescinded and annulled — and that the appellant have leave to file his cause & have the same docketed in conformity to the rules of this court, upon payment of costs.

per Mr Chief Jus. Chase.

in such case made and provided, and that such allotments be entered of record, viz:

For the first Circuit Nathan Clifford, Associate Justice.
For the second Circuit Noah H. Swayne, Associate Justice
For the third Circuit William Strong, Associate Justice
For the fourth Circuit Salmon P. Chase Chief Justice
For the fifth Circuit Joseph P. Bradley, Associate Justice.
For the sixth Circuit, Noah H. Swayne, Associate Justice
For the seventh Circuit, David Davis Associate Justice
For the eighth Circuit, Samuel F. Miller Associate Justice
For the ninth Circuit, Stephen J. Field Associate Justice.

Branch T. Marlowe assignee &c.
vs. Appellant,
169 Sidney C. Howard et al.

Ordered by the Court that the motion of Mr Boyce to dismiss this cause be, and the same is hereby continued to the next term.

Lucien B. Maxwell
vs. Appellant,
606 Andrew Stewart

Mr John S Watts of counsel for the

Appellant having suggested to the Court that the Appellant was prepared to file the record and have the Cause docketed pursuant to the rules of this Court, moved the Court to recind and annul the decree of this Court entered on the 15th day of February A.D. 1873 docketing and dismissing this appeal. On consideration whereof, it is now here ordered by this Court, that the decree of the 15th of February docketing and dismissing this appeal be, and the same is hereby Rescinded and annulled — and that the Appellant have leave to file his cause & have the same docketed in conformity to the rules of this Court, upon payment of costs.

per Mr Chief Jus. Chase.

Joseph Lamman.
673. vs. Pl'ff in Error.
Ward H. Lamon.

Mr Boyce on behalf of Mr R. T. Merrick of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"United States of America, ss:
The President of the United States of America.

To the Chief Justice and Justices of the Supreme Court of the District of Columbia. Greeting:

Because in the record & proceedings, as also in the rendition of a judgment, in a plea which is in the said Court before you between Joseph Lamman plaintiff, and Ward H. Lamon defendant, No 517 a manifest error hath happened to the great damage of the said plaintiff, as by his complaint appears, and it being fit that the error if any hath happened should be duly corrected, and full and speedy justice done

to the parties aforesaid in this behalf: Therefore you are hereby commanded, if judgment be therein given, under your seal distinctly and openly, to send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in the said Supreme Court to be then and there held, that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done thereon in to correct that error, what of right, and according to law and custom of the United States should be done

Witness the Honorable S P Chase Chief Justice of the United States, this 10th day of October, in the year of our Lord 1872, and of the Independence of the

United States the ninety seventh.

Seal

R. J. Meigs
Clerk.

District of Columbia, to wit:

To Ward H. Lamon.

You are hereby cited & admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the first Monday of December next, pursuant to a writ of error filed in the Clerk's Office of the Supreme Court of the District of Columbia wherein Joseph Lamman is plaintiff and you are defendant, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected so that speedy justice be done the parties in that behalf.

Witness D. K. Cartter Chief Justice of the said Supreme Court of the District of Columbia.

D. K. Cartter
Chf. Just.

Monday April 28th 1873. Continued.

A true copy of writ of error & citation
Oct. 10. 1872. R. J. Meigs. Clerk

In the Supreme Court of the District of Columbia.

Joseph Lamman
vs. Plaintiff At Law.
Ward H. Lamon No. 517.
Defendant.

I, Return J. Meigs Clerk of said Court do hereby certify that a writ of error was duly issued out and allowed, in the above entitled cause to wit: On the 10th day of October A. D. 1872, the same being the day on which the final judgment was rendered, and on that day duly issued.

Witness my hand, and the seal of said Court this 24th day of April A. D. 1873.

seal

R. J. Meigs
Clerk"

and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th Rule of this Court to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law & justice the said writ of error, notwithstanding.

per Mr. Chief Justice Chase.

43. Francis Dandridge vs. Pleff in Error. Wm Prescott Smith. | Mr Attorney General Wickham of Counsel for

the defendant in error, having at a prior day of the present term suggested the death of Wm Prescott Smith, the defendant in error in this cause; moved the court for leave to enter the appearance of Margaret Anne Smith, administratrix of the said William Prescott Smith deceased, as the defendant in error in this cause. In consideration whereof, it is now here ordered by this Court, that the appearance of the said Margaret Anne Smith, administratrix aforesaid, be entered, & she is hereby made the party defendant in error in this cause with liberty to resist this writ of error.

Proclamation being made the Court is adjourned until Thursday the 1st of May, at 11 o'clock.

Thursday May 1. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Henry B Merrill, David G Floyd, Charles Bates, H. S. Hokey, C. Whitehead, William Whitehead, Claimants. Appellants.

vs.

The Schooner "Mary Edwine" &c. John W. Petty & Isaac Homan.

} Appeal from the Circuit Court of the United States for the Southern District of New York.

204

Thursday May 1. 1873. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the libellant, and for further proceedings to be had therein in conformity with the opinion of this Court

per Mr Justice Hunt,

The Police Jury of the Parish of Tensas
vs. Riff in Error.
Hudley C. Britton,
& George W. Koontz.

In Error to the Circuit Court of the United States

for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court.

per Mr Justice Bradley.

The Home Company, and James Jeffries. vs. C. D. Sumner, Francis Lalle, John Hughes, Josephine Lalle Hughes, & The Bank of America.

218.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

G. T. Stevenson, Collector of Internal Revenue. vs. Hitt in Error. John Beggs.

213. In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Ohio, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment for the defendant.

per Mr Justice Strong.

Brigham Young
vs
Trustee in trust of the Church of Jesus Christ of Latter day Saints
187. N. Duff in Error.
William S. Godbe

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was ar-

ged by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to award a venire facias &c.

per Mr Jus. Davis

Jonathan M. Dair
Wm. F. Sauks, James
Dair, and William
H. Dawson
vs. Pltffs. in Error
The United States

In Error
to the Cir
cuit Court
of the Uni
ted States
for the Dis
trict of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel

On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. per Mr Justice Davis.

James Hayes and Andrew B. Yates. Appellants
229 v. Hugenus C. Hall assignee of Leonard Lukin. Bankrupt. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. per Mr Jus. Clifford.

Henry B. Merrill & G. Floyd, Charles Bates & Henry S. McKay as Executor of Elisha S. Champion deceased. vs. John H. Petty, and S. Homan.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

485.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed, for the want of jurisdiction.

per Mr Justice Clifford.

The Knickerbocker Insurance Company of Chicago

566. vs Plaintiff in Error.

Gardner P. Comstock James T Brayley, Lewis Easton Patterson, John Allen, & B. Palmer Muckey.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the motion of Mr Dent to dismiss which was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed for the want of prosecution.

per Mr Justice Clifford.

Catharine A. Rodd, admx
484 vs Appellant
Henry J. Heartt et al.

On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now hereordered by the Court that said motion be, and the same is hereby denied. per Mr Chief Justice Chase

---

The City of Richmond
459 vs. Plff in Error.
Roswell Heartt et al

On consideration of the motion for injunction in this cause and of the arguments of counsel thereupon had, as well in support of as against the same, it is now hereordered by the Court, that said Motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

---

659 The City of Rochester: Plaintiff in Error
vs
Roswell Hart et al.

On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court that said motion be and the same is hereby continued to the next term.

per Mr Chief Justice Chase

---

275 The First National Bank of Washington et al. Appellants
vs
The State of Texas.

Ordered that the decree entered by this court on the 17th day of March last, be, and the same is hereby rescinded and annulled. And that this cause be, and the same is hereby ordered for re-argument at the next term.

per Mr Chief Justice Chase.

The State ex rel James Robb et al.
162 vs Plffs in Error.
Wm. Gurney, County Treasurer.

and

The State ex rel Theodore D. Wagner.
163. vs. Plff in Error.
John R. Stall, County Treasurer.

Ordered that the judgment entered by this Court on the 31st March last, in these cases be, and the same are hereby rescinded and annulled and that the cases be, and the same are hereby ordered for re argument, at the next term.

Amendment to 5th Rule.

That hereafter in all cases brought to this Court, by writ of error or appeal, to review any judgment or decree, the Clerk of the Court by which such judgment, or decree was rendered, shall annex to the transcript with the record, a copy of the opinion or opinions filed in the case.

Spade, Henry C. Warmoth Petitioner. | On motion of Mr P. Phillips, leave is hereby granted him to docket this cause.

Lucien B Maxwell etal. vs. Andrew Stewart. 674 Pffs. in Error. | Mr J. S. Watts of Counsel for the Plaintiffs in error, suggested the death of Andrew Stewart, the defendant in error in this cause.

The State of Wisconsin ex rel vs The City of Duluth et al. 675 Complainant. | On motion of Mr Enoch Totten, it is ordered by the Court, that this cause be, and the same is hereby dismissed with costs.

The State of North Carolina vs Lee Duncan. 676 Appellant, | Appeal from the Circuit

Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on the motion of Mr Solicitor General Phillips, it is now here ordered adjudged and decreed by this Court, that this appeal be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

Order of Court.

It is now here ordered by the Court, that all the cases on the docket, not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby continued over to the next term of this Court

---

Proclamation being made the Court adjourned to the time & place appointed by law.

Minutes of the Supreme Court of the United States.

October Term

1873.

Monday October 13th 1873

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States on the Second Monday of October (being the thirteenth day of the same month) in the year of Our Lord One thousand eight hundred and seventy three, and of the Independence of the United States the ninety eighth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

On motion first made to the Court in this behalf by Mr Philip Phillips

it is ordered that George Norris Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mr. Justice Clifford announced to the Bar that the Court would commence the call of the docket tomorrow under the 26th rule.
Mr justice Clifford also announced to the Bar that hereafter the Sessions of the Court will be from 12 to 4 o'clock instead of from 11 till 3. as heretofore.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 14th 1873

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Durant it is ordered that Albert Abbott Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Edward Otis Hinkley and John C. King Esquires of Baltimore State of Maryland be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. M. Rankin it is ordered that Alexander Martin Esquire of St Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that James H English Esquire of Leavenworth State of Kansas and William Lair Hill and H. T. Trimble

Esquires of Portland State of Oregon be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Phil H. Phillips it is ordered that H. P. Clough Esquire of St Paul State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

8. Joshua Edwin Atkins vs. Appellants. The Fibre Disintegrating Company. — | On motion of Mr D. Benedict leave is

hereby granted him to file reply brief in this cause, within ten days from this date.

17	John A C. Horn. vs. Appellant. H. Lockhart et al.	Ordered by the Court that the re argument of this cause be postponed for the present.

91	Henry Boyce vs. Plff in Error Thomas S. Tabb.	On motion of Mr P. Phillips the appearance of Henry A. Boyce Executor of Henry Boyce deceased, was filed and entered, and he was ordered to be made the plaintiff in Error in this cause, in the place of said Henry Boyce deceased.

20	William Daniel et al. vs. Plffs. in Error. James Thornton.	This cause was argued by Mr Reverdy Johnson of Counsel for the plaintiffs in Error, and by Mr James A. Bayard, and Mr Thomas F Bayard of Counsel for the defendant in error.

---

1. George F. Kelly vs. Complainant. The City of Providence | Ordered by the Court that this cause be, and the same is hereby continued to the next term (per stipulation on file)

2 George F. Kelly vs. Complainant. The Proprietors of Central Bridge | On a certificate of division in opinion between the judges of the Circuit Court of the United States for the District of Rhode Island

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of

Congress in such case made and provided, and it appearing to the Court from the Stipulation of Counsel on file, that the matters in controversy in this cause have been agreed and settled between the parties. It is now here ordered adjudged and decreed by this Court that this cause be, and the same is hereby dismissed. per Mr Justice Clifford

---

5 The Mayor &c of Mobile vs Plff in Error. | The motion to dismiss this cause
William C. Leverich et al. | was sub-

mitted to the consideration of the Court by Mr P. Phillips of Counsel for the defendants in Error Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.-

---

Tuesday, October 14th 1873. Continued

William N. Glover & James L. Alcorn. vs. Stiffs in Error, George S. Prentice.	In Error to the Circuit Court of the United States for the Southern District of Alabama.

33.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and on the stipulation of counsel on file and motion of Mr P. Phillips it is now here ordered & adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed with Costs.

per Mr Justice Clifford.

11 William H. Davidson et al vs. Hyfs in Error. The United States.

This cause was submitted to the consideration of the court on the record and printed argument by Mr Assistant Attorney General Hill of counsel for the defendant in error. No counsel appearing for the plaintiffs in error.

---

5 Frances Dandalet vs. Riff in Error. William P. Smith.

This cause was submitted to the consideration of the Court on the record, printed arguments by Mr George C. Maund of counsel for the plaintiff in error, and by Mr Assistant Attorney General Hill for the defendant in error.

6.	John R. Smith vs. Plff in Error The United States.	Ordered by the Court that this cause be passed for the

present.

7.	Benjamin F. Danley vs. Plaintiff in Error. Samuel Houston	In Error to the Circuit Court of the United

States, for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and it appearing to the Court that this is the second term at which this Case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed,

at the costs of the plaintiff in error pursuant to the 10th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this writ of Error be, & the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice. per Mr Justice Clifford

---

William H. Rodgers
vs. Plff in Error.
The Territory of Montana
vs. Ellis Fisk & J. L. Fisk

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and on the motion of Mr Hussey in behalf of Mr J. H. Garfield of counsel for the defendant in Error it is now here ordered & adjudged

by this Court that the writ of Error in this Cause be, and the same is hereby dismissed with Costs.

per Mr Justice Clifford

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Wednesday October 15th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Haley Middleton Clerk.

Proclamation being made the Court is opened.

A motion first made to the Court in this behalf by Mr. J. D. Fuller it is ordered that Rufus K. Sewall Esquire of the State of Maine be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. H. Hill, Assistant Attorney General, it is ordered that Ethan Allen Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Leech it is ordered that James S. Edwards Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

50 William Minot jr. vs. Iliff in Error. The Philadelphia Wilmington & Baltimore Railroad Company et al.

On motion of Mr. Bayard it is ordered by the Court that this Cause be passed, to be argued with No. 168.

when reached on the regular call of the docket.

William H. Rodgers vs. Plff in Error. / The People of Montana ex rel J. L. Fisk et al

On motion of Mr J. A. Garfield, it is now here ordered by the Court, that the judgment of dismissal entered in this cause yesterday (the 14th instant) be, and the same is hereby stricken out and annulled, and that he have leave to argue the case orally.

William H Rodgers vs. Plff in Error. / The People of Montana, ex rel J. L. Fisk, and J. L. Fisk.

This cause was argued by Mr J. A. Garfield of Counsel for the defendant in Error.

William H. Rodgers. | In Error
9. vs. Piff in Error. | to the Su-
The Territory of Mon- | preme Court
tana ex rel James L. | of the Ter-
Fisk & James L. Fisk. | ritory of
| Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Clifford.

The City of New Orleans. | Ordered
14 vs Appellant. | by the
The New York Mail | Court
Steamship Company. | that this
| Cause

be passed and that it be not called for argument before the 3rd instant

---

William N. Gaines et al.
15 vs Pltfs in Error.
J. C. Hale et al. | Ordered by the Court that this

Cause be passed in pursuance of the order made at the last term.

The United States.
16 vs. Pltf in Error.
Miss S. C. Janssen
exr & Executrix &c. | This cause was argued by Mr Asst. Attorney General Hoit of counsel for the plaintiff in Error, and by Mr J. D. McPherson of counsel for the defendant in error.

Andrew Hamilton et al.
15 vs. Pltfs in Error.
Joseph R. Dillon. | Ordered by the Court that this Cause be, and the same is hereby passed for the present.

Wednesday October 15th 1873. Continued.

19. John R. Lamb et al vs. Appellants. J. A. Davenport

The argument of this cause was commenced by Mr H. L. Hill of counsel for the appellants continued by Mr J. D. McPherson and Mr. J. M. Carlisle of counsel for the appellee and by Mr George H. Williams for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday October 16th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr J. H. Moore it is ordered that C. P Culver Esquire of Washington City, District of Columbia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. A. Garfield it is ordered that C. H. B. Allison Esquire of Wheeling State of West Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Warren A. Worden Esquire of Auburn State of New York be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. D. Davidge it is ordered that W. P. Bell Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court the was sworn accordingly.

1123	The United States. vs. Appellants. C. V. Woodruff et al.	On motion of Mr. C. M. Conrad it is ordered by the Court that his name be stricken from the docket, as counsel for the appellees in this cause.

9	William H. Rodgers vs. Appellant in Error. The People of the Territory of Montana ex rel J. L. Fisk and J. L. Fisk.	On motion of Mr J. A. Garfield it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

14	John R. Lamb et al vs Appellants. J. A. Davenport.	The argument of this cause was concluded by Mr George H. Williams of counsel for the appellants.

21.	Henry A. Boyce Executor of Henry Boyce, deceased. vs. Thomas T. Tabb.	In Error.

Ordered by the Court that this cause be passed with leave to Mr Conrad to file additional brief.

25	Henry C. Lea vs. William R. Leeds Collector of Internal Rev.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the

Court that this cause should be dismissed at the costs of the plaintiff in Error, pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this Court, that this writ of Error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Justice Clifford

William Sellers
vs. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
D. S. Kyle in Error
Horatio G. Sickel Collector of Internal Revenue.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of

Pennsylvania and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed pursuant to the 19th rule of this Court. Whereupon it is now here ordered & adjudged by this Court, that this writ of Error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in, according to law and justice.

per Mr Justice Clifford.

---

27 Clarence H. Clark. vs. Pitt in Error. Horatio G. Sickel Collector of Internal Revenue. | In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 16th rule of this court. Whereupon it is now here ordered & adjudged by this Court that this writ of Error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

per Mr Justice Clifford.

Mary E Farnum.
28. vs. Pff in Error.
Horatio G. Sickel Col
lector of Int. Revenue.

In Error to the Cir cuit Court of the Uni ted States for the Eastern District of Penn sylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court, that this cause should be dismissed pursuant to the 19th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this writ of Error, be, and the same is hereby dismissed with costs. And that this cause

be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Justice Clifford

	The Travellers Insurance Company.	Ordered by the Court that this Cause be,
34	vs. Plaintiff in Error.	
	Elizabeth Seaver.	

and the same is hereby passed for the present, on account of Sickness of Counsel.

	Timothy Conway.	Ordered by the Court that this Cause be, and the same is hereby
36.	vs. Plaintiff -	
	Geo J. Stanard et al.	

passed for the present.

	O. S. Wallach's Exr's.	Ordered by the Court that this
37	vs. Appellants.	
	H. D. Wallach.	

Cause be passed until the Expiration

of the ten days allowed the defendant under the 9th rule, to enter the appearance of parties.

Paul C. Coffin 38. vs. Appellant. J. B. Ogden et al.	Ordered by the Court that this cause be passed for the

present, (on account of sickness of Counsel)

Proclamation being made the Court is adjourned until tomorrow at, twelve o'clock.

Friday October 17th 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

Wm. T. Stockley Esquire Marshal
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr R. T. Merrick it is ordered that S. P. B. Sands Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. -

---

On motion first made to the Court in this behalf by Hon Montgomery Blair it is ordered that John F. Swift Esquire of San Francisco State of California be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr G W. Guthrie it is ordered that Edward S. Golden Esquire of Killanning State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson it is ordered that R. J. Miller Esquire of Vicksburg State of Mississippi be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that W. M Kilgour Esquire of Sterling State of Illinois, be admitted to practice as an attorney and counsellor of this court who was sworn accordingly.-

---

100. Charles S Morman et al. Appellants. vs W. Hoge et ab.- | Mr C. H. Hill having filed and read

in open court a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"That the Clerk has omitted to send up with the record, certain affidavits taken in said cause, and read in evidence at the hearing in the court below, viz: the affidavits of George W. Millman, George W. Smith, H. B Shanks, R. H. Robinson, Henry Metz, G. W. Merkel, John Seabold, Adam

Brown, F. M. Laduke, H. H. Hecker, A. L. Post, Philip Speed, and A. G. Johnson the last named being the second affidavit of the same witness taken in the case."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of California commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court, whatever omissions and errors shall be found. On consideration whereof it is now here ordered adjudged and decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and

to be directed to the Judges of the Circuit Court of the United States for the District of California commanding them that searching the records and proceedings aforesaid they forthwith certify to this court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause, & return the same with the said writ of certiorari forthwith to this court.

per Mr Justice Clifford.

Sheka Passe
389 vs Pfeffin Error.
The City of Brownsville.

The motion to dismiss this cause was submitted to the consideration of the Court on printed argument by Mr T. J. Durant of counsel for the defendant in error, and leave granted Mr C. Robinson to file reply Brief within one week.

Ex parte In the matter of Alphonse Des Mare Petitioner | On motion of Mr. J. J. Durant it is ordered that leave be granted him to file petition for rule on the Court of Claims to show cause why an appeal should not be allowed in this cause..

Branch T. Masterson assignee &c. vs. Appellant. Volney E. Howard et al. | On motion of Mr. G. H. Paschal Leave is hereby granted him to file additional brief in this cause

24

Julia A. Null Execut'x of Haller Null deceased vs. Appellant, The United States. - | Mr. T. F. Bayard filed motion to dismiss this appeal.

515

The Winona and St Peter Railroad Co. Plff in Error.
510. vs.
John D. Blake et al

Mr W. P. Clough of Counsel for the defendant in error having filed and read in open Court a suggestion of a diminution of the record in this cause in the words & figures following, to wit:

"That the record does not contain a transcript of the opinion of the Supreme Court of the State of Minnesota, made & filed in this cause, and 2nd That the same does not contain the original petition for the allowance of a writ of Error, presented by the plaintiff in error to the Chief Justice of said State Court, and the allowance thereupon of such writ of Error.-

"By reason of which omissions and errors aforesaid the said Counsel now here moved

the Court, to award a writ of certiorari to be directed to the Judges of the Supreme Court of the State of Minnesota, commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the State of Minnesota, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court, under the seal of the said Supreme Court, whatever omissions and errors shall be found in this cause and return

the same with the said writ of certiorari forthwith to this Court.

per Mr Justice Clifford

N. A. McGhaud et al. vs. Plffs. in Error
301 John W. Sapsley. — | On motion of Mr F. F. Durant

it is ordered by the Court that the writ of Certiorari issued in this cause, on the 9th day of April last, be and the same is hereby modified, by omitting, therefrom the document, designated as No 1 in said writ, and that in other respects the said writ of certiorari may remain unchanged.

Timothy Conway vs. Plaintiff in Error
36 George F. Standard et al. | This cause was argued by Mr L. P. Poland of Counsel for the plaintiff and by Mr Assistant Attorney General

Hill, and Mr Attorney General Hilton for the defendants.

---

39. Fletcher Westray, et al. vs. Peffs in Error, The United States. — This cause was argued by Mr Solicitor General Phillips of counsel for the defendant in Error, and submitted on printed arguments by Mr Ethan Allen for the plaintiffs in Error.

---

21. Henry A. Boyce Exr &c. vs. Peff in Error, Thomas S Tabb — Mr Conrad of counsel for the defendant in error having filed additional brief in this cause, the same was distributed to the Court.

Clifton K. Moore et al.	This cause
41 vs Pltffs. in Error.	was sub-
Rufus W Robbins.	mitted

to the consideration of the Court on the record and printed arguments by Mr C. K. Moore of counsel for the plaintiffs in Error, and by Mr R. E. Williams for the defendant in Error.

William C. Ray.	The argument
42 vs. Pltff. in Error.	of this cause
Murray F. Smith.	was com-

menced by Mr R. T. Merrick of counsel for the plaintiff in error and continued by Mr P. Phillips of counsel for the defendant in Error.-

---

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 20 - 1873

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.-

---

10. The New York Central Railroad Company & Charles C. Leffingwell in Error, vs. Charles C. Lockwood

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest and paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Bradley.

William H. Moore and William C. Mitchell John S. Walls, Henry Bernbaum, Jacob Hecht, Vicente Romero, Fernando Tolan, Charles H. Kitchen & Andres Dold.
32. vs. Appellants.
Gertrude E. Remington admx of Nathan Webb, deceased & David L. Remington her husband.

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decrees of the said Supreme and District Courts in this cause be, and the same are hereby Reversed with costs. And that this cause be, & the same is hereby remanded.

to the said Supreme Court with directions to set aside the entire report of the master. That a new master be appointed, with directions to adjust the accounts on the basis of an interest of one-eighth in Webb, in the Fort Union branch of the business, and one third in the other. And that such adjustment be made in conformity with the opinion of this court, so far as it can serve for a guide, and that the final decree to be rendered in this case shall be a full settlement of all the matters litigated in the bill, cross-bill and answer.

per Mr Justice Miller.

The Mayor Aldermen and Common Council of the City of Mobile.	In error to the Circuit Court of the United States for the Southern District of Alabama.
3. vs. Pltffs. in Error.	
William E. Leverich, William H. Leverich, Sarah M. Leverich, Anna M. Leverich, Eliza June Leverich, Sarah A. Leverich, James H. Leverich, Edward M. Townsend and Belinda R. Townsend. -	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and on the motion of Mr P. Phillips to dismiss, which motion was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed, at the costs of the Defendants in Error.

per Mr Justice Clifford.

William H Davison, Abraham Beggs, and Joseph P Cloud.. vs. Plffs. in Error. The United States. | In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed; per Mr justice Clifford.

Silas A. Hall Exct of Hallie Hall deceased. vs. Appellant The United States | Ordered by the Court that the mation of

Mr B. F. Butler to dismiss this appeal filed on the 17th instant, be printed. and that notice be given as required by the 6th rule.

per Mr Justice Clifford.

---

42. William C. Ray, vs. Pltff in Error. Murray F. Smith. | Argument of this cause was continued by Mr. P. Phillips of counsel for the defendant in error, and concluded, by Mr K. D. Merrick for the plaintiff in error.

---

22. The State ex rel Jas. Robb et al Owners &c vs. Pltfs in Error. Wm Murray Treas. of Charleston Co. and

23. The State ex rel Thos. D. Wagner, vs. Pltf in Error John R. Hall Treas. of Charleston Co. | Argument of this cause was continued by Mr. J. G. Magrath of counsel for the pltfs in error, & concluded by Mr J. H. Chamberlain of counsel for the defts in error.

Reclamations being made the Court is adjourned

Tuesday October 21st 1873.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt.
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Kelley Hamilton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T.H. Barkley, it is ordered that Cain McGarr Esquire of Vicksburg State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

22.	The State ex rel. James Robb et al. trustees &c. vs. Pltfs. in Error. W.M. Gurney, treasurer of Charleston County. and The State ex rel Thos. D. Wagner vs Plff in Error. John R. Hall treasurer of Charleston Co.	The argument of these cases was continued by Mr D.H. Chamberlain of counsel for the defendant in error and concluded by Mr B.R. Carlis of counsel for the plaintiffs in error.

17.	John A.C. Horn vs. Appellant. T. Lockhart et al.	The argument of this cause was commenced by Mr A. Phillips of Counsel for the appellant, and continued by Mr John T. Morgan of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at 12. o'clock.

Wednesday October 22nd 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John J. Mealey Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Amasa J. Parker it is ordered that Henry D. Brown Esquire of Detroit State of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made & the Court in this behalf by Mr William M. Evarts, it is ordered that James E Yates Esquire of Boston State of Massachusetts be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

602. Reuben Wright vs. Jeff in Error, Jonas M. Tebbetts. | Mr R. S. Murry of Counsel for the defendant in error, having filed and read in open court, the following certificate to wit:

"In the Supreme Court of the District of Columbia.

I, Reuben J. Meigs Clerk of the Supreme Court of the District of Columbia do hereby certify that the records of this Court show that, on the 2nd of June A.D. 1869, an action at law was instituted in this Court by Jonas

M. Tibbetts against Reuben Wright. wherein on the 20th of February 1872 a verdict for plaintiff in the sum of $2134 with interest from the 5th of June 1869, was obtained, upon which verdict there was on the 4th of November 1872, after the overruling of the defendants motion for a new trial, upon exceptions taken during the trial, a judgment entered for plaintiff and that on the 19th of June A.D. 1873, a writ of Error sued to the Supreme Court of the United States at the request of the said defendant, Reuben Wright.

Witness my hand and the Seal of this Court this 22nd day of October A.D. 1873.

Seal

R. J. Meigs
Clerk
by L. F. Williams
Asst Clerk"

was having stated that the plaintiff

in error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have the writ of error docketed and dismissed. In consideration whereof, it is now here ordered and adjudged by this Court that the writ of Error to the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice, the said writ of error notwithstanding.

per Mr Justice Clifford

The Travellers Insurance Company 34 vs Plaintiff in error. Elizabeth Seaver. and The Mayor &c of Nashville 166 vs Plff in Error. William Kay.	On motion of Mr Edmunds it is ordered that these cases be not called for argument before the first Monday of December next.

Andrew J. Bean 67 vs Plaintiff. David A. Beckwith et ab	On motion of Mr Edmunds in behalf of Mr Phelps, it is ordered that this cause be not called for argument before the first Monday in December.

Peter H. Horn 17 vs Appellant H. Lockhart et al.	The argument of this cause was concluded by Mr P. Phelps of Counsel for the appellant.

Wednesday October 22nd 1873 continued

Solomon Culver use &c.	The cause was
43. vs. Appellant.	argued by Mr. J
The United States. -	L. Norrimer and
	Mr A.G. Riddle

of counsel for the appellant Submitted on printed argument by Mr Attorney General Williams of counsel for the appellees

---

William J. M'Combs	Ordered by the Court
surviving Exor	that this cause be,
44 vs. Effinger Exor.	and the same is
The County Commissioners	hereby passed for
oners of Knox Co Ohio.	the present.

The United States	The argument
45. - vs. Plaintiffs	of this cause
E. B. Isham.	was commenced
	by Mr Solicitor

General Phillips of counsel for the plaintiffs, and continued by Mr Chas P. James, and Mr J. H. Ashton for the defendant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 23rd 1873

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Proceedings of a meeting of the members of the Bar in commemoration of the late Chief Justice Chase.

Upon the occasion of the death of Chief Justice Chase, in vacation, the members of the Bar of the Supreme Court of the United States, and other

officers of the Court having assembled in the Court Room at the Capitol at Noon on Monday the 13th instant, the following proceedings took place:

The meeting was called to order by James McCarlisle Esquire of Washington and on his motion, Hon Reverdy Johnson of Maryland was called to the Chair, and L. H. Middleton Clerk of the Court was appointed Secretary:

On motion the Chair appointed the following members of the Bar, a committee to report and recommend such resolutions and proceedings as may be appropriate:

Massachusetts. Hon B R Curtis
Hon B. F. Butler R. H. Dana jr.
New York. Hon D. M. Evans
Mr W. M. MacFarland, Mr E. H. Stoughton
Rhode Island. Hon W. B. Tavernier
Pennsylvania Hon. J. S Black.
Mr J. H. Ashton. Hon. Jos Casey.

Maryland Mr J. K. B. Latrobe.
Mr J. H. Bradley. Hon Montgomery Blair.
District of Columbia. Mr J. M. Carlisle.
Mr R. T. Merrick. Mr P. Phillips
Ohio. Mr T. H. Earley. Hon J. D. Cox.
Virginia. Mr Tazewell Taylor. Mr Jed. Lyons.
North Carolina. Hon. J. T. Phillips.
Kentucky. Hon H. Stanbery. Mr B. H. Bristow.
Illinois. Hon Lyman Trumbull.
Missouri. Mr Thomas T. Gantt.
Louisiana. Mr Thomas J. Durant.
California. Hon. Eugene Casserly. Mr E. S. Goold.
Alabama. Mr J. T. Morgan. Mr. S. F. Rice
Arkansas. Mr R. W. Johnson. Mr. Albert Pike.
Wisconsin. Hon Matt Carpenter. Mr J. H. Carey.
Delaware Hon. T. F. Bayard.
Indiana. Mr. W. T. Otto.
Texas. Mr G. W. Paschal.

The Committee by Mr Carlisle their Chairman, reported the following preamble and resolutions which were by his request, read by Mr Merrick.

Salmon Portland Chase. Sixth Chief justice of the United States,

having departed this life since the last term of the Court, the members of the Bar and other officers of the court have assembled to testify their profound regret at the event, and their high respect for his memory.

His opinions and judgments as they are preserved in the official reports of the decisions of the Court, attest his great ability, and his devotion to the duties of his high office. His long and distinguished career as a Senator and Statesman, and the manner in which he conducted the important department of finance at a period of vital national importance are more appropriate to be commemorated elsewhere. It is as a judge only that we now recall him. The dignity which descended upon him from such illustrious predecessors lost nothing in his hands. His refined and cultivated mind, his unvarying courtesy, and his regard,

for the rights and feelings of others won the warm regard & attachment of all who came in contact with him, and the esteem admiration and respect of the bar continually and steadily increased during the eight years in which he presided over the deliberations of this high tribunal. Wherefore,

Resolved. That the members of the Bar and Officers of the Court, sincerely deplore the death of the late Chief Justice Salmon Portland Chase and will affectionately preserve the memory of his many virtues and high qualities and will wear the usual badge of mourning during the term.

Resolved, that the Attorney General of the United States be requested to move the Court to direct these proceedings to be entered upon the minutes and that a copy thereof be transmitted to the family of the deceased Chief Justice with the

respectful assurance of the sincere sympathy of the members of this meeting Which Resolutions were unanimously adopted.

Mr Attorney General Williams moved the Court that these proceedings be entered of record on the minutes of the term, and made the following remarks:

May it please the Court. I have been charged with the sad duty of formally announcing to Your Honors the death of Chief Justice Chase and of presenting to be spread upon the Records of the Court the resolutions of the Bar touching that mournful event.

On the 1st day of last May, by the adjournment of this Court for the term, he laid aside his official robes to seek that temporary repose which his arduous labors and bodily infirmities

seemed to require, but in a few days thereafter to the great disappointment, and grief of his family and friends he laid aside all that was mortal of his nature and passed to where the weary are forever at rest. While Spring was revealing its new & beautiful forms of life upon earth, he was carried in the gentle arms of hope and faith to the new life of another world. To recount the public incidents of his eventful career upon this occasion, would be to repeat what is as familiar as household words to the people of this country.

Suffice it to say that as the governor of a great State as a Senator in Congress: as a Secretary of the Treasury, and as Chief Justice of the Supreme Court, he was distinguished for great abilities and great devotion to duty.

Conspicuous among his many

claims to popular and lasting regard were his early, continued and effective labors for the universal freedom of man. His fame in this respect will be as enduring as the love of liberty, in the hearts of the American people. To say that he administered the finances of the country through the late war of the rebellion is enough to establish his preeminence & show his title to a nations grat itude.

Jay, Rutledge, Ellsworth, Marshall and Taney, are the few imperishable names of the great departed who have filled the Chief seat on this Court, and to those is now added with new lustre to the galaxy, the name of Chase.

Posterity will know of him through his publick services, but, we his associates and friends know and can appreciate as well,

his private virtues.

All the influences of his example were for good.

He was above reproach in his relations to society. His physical proportions were in harmony with his high intellectual qualities. He was dignified and graceful in his department, and especially kind and courteous to members of the Bar. His writings are remarkable for their clearness and force and all who knew him know how instructive and charming he was in conversation. Physically, intellectually, and morally, he was all that a Chief Justice ought to be. Impelled by what has been called the infirmity of noble minds he pursued with untiring zeal his lofty aims, and whatever else may be said of his aspirations, happily no one can say that they marred the excellence and purity of his personal character. Early in life he

emigrated from New Hampshire, where he was born in 1808, and soon after became a citizen of Ohio where unaided by fortune or friends he commenced his successful public career. Inspired by an ardor that spurned all obstacles, and feared no defeat he passed onward and upward until he was called to the head of this high tribunal - a place that but few men can ever attain; whence he has come down to his grave crowned with years and many honors, and left to his children, and his country, the record of a life. such as the world's opinion and men's praise.

And full of all we could desire but days."

To which, Mr. Justice Clifford, the Senior Associate Justice presiding replied as follows:

Gentlemen of the Bar

Providence has

ordained that man must die, and it is matter of solemn import to every reflecting mind that the sentence applies to the whole human family, without regard to station, attainment, or usefulness.

Some of those who occupied these seats sixteen years ago are now here to participate in these commemorative proceedings, and only two of the number then in office survive to join in the general sorrow so well expressed in the resolutions of the bar, for the great loss which the country has sustained by the death of the late Chief Justice of this Court. Vacancy followed vacancy subsequent to that period, until the place of the Chief Justice and those of two Associates were all filled by new appointments, and the junior of the immediately succeeding period, who was appointed to fill a prior

vacancy, has become the Senior Associate Justice of the Court.

Great events in the meantime have occurred. State after State seceded, and the rebellion came and was crushed. Slavery was abolished and amendments were made to the Constitution to make it conform to that great change in the social relations of the States effected by the event. New laws were passed extending the jurisdiction of the Court and vastly augmenting its labors and responsibilities.

Gratitude is due to providence that the lives and health of the present members of the Court have been preserved throughout that period and for the success which has attended their efforts aided by the wise counsels of the late Chief Justice, in upholding all the safeguards of liberty ordained in the Constitution. Civil war

raged for a time with all its demoralizing influences, but the court continued calm and unswerved, and the Constitution remains unimpaired to shed its benign influences upon the whole people of the country, and to secure the blessings of liberty to the present generation and to their posterity. Death has now again entered these walls, and for a second time within the period mentioned has removed the Chief Justice of the Court. Such a loss is deeply felt by the whole country, and by none more keenly than by those connected with this tribunal. Whenever a good man dies, in any walk of life there goes up around him in his last repose a mourning throng of sad regrets from the hearts of all who may have either experienced or witnessed his beneficence. But when from some dignified and elevated sta-

tion of public trust, obedient to the inevitable summons a great and good man drops suddenly and noiselessly away, in the comprehensive sphere of whose high duties nothing remains but the solemn and suggestive silence of vacancy a peoples grief surrounds the grave to do justice to his motives and to award their saddened and affectionate approbation of his official services and public acts.

Difference of opinion, envy or jealousy may have created barriers to a just appreciation of such a man during the active and angry struggles of life but when the curtain of death interposes its impenetrable mystery between him and the living, that involuntary homage which human nature instinctively pays to its true nobleman, is almost sufficient to hush each

influences and override every such barrier.

Passions of the kind cloud the understanding and too often prevent any impartial judgment upon the life and character of a colemporary until the busy contentions of the world are left behind him and he has passed that solemn portal towards which all human life is only the pathway. Influences of the kind sometimes affect even the public judgment and compel men at last to exclaim "Our blessings brighten as they take their flight." Whether good or bad the public man to whom under a government of the structure of ours has been committed the sacred duty of high public office, can ask no more nor can his friends, than that those who come to review his acts shall be governed by the inflexible

standard of justice, looking to his motives and purposes as embodied in his acts, when properly construed in the light of the circumstances of his life, and the nature difficulty and peril of his judicial duty.

Without a thought of any thing so invidious as a comparison of merit, it may be safely said that of all the Characters who were Chief and prominent amid the swift and terrible commotions from which our Country has little more than just emerged, none bore a more perplexing and onerous share of the public duty, than the man to whose memory, more especially as to Chief Justice, the Supreme Judicial tribunal of the Nation now pays its sad tribute of mourning and respect.

Called to preside over the

administration of the National finances at a most alarming and painful period when the fiscal systems were manifestly inadequate to the enormous & unprecedented strain upon their resources, the energies of a comprehensive and creative mind were demanded to mould and shape the avaricious wealth of the nation into such a channel that it should to the largest extent possible promote the development of the military and naval power of the country and give it the most efficient and direct support. Manifold difficulties attended the undertaking as the vital forces of the nation were suddenly wrenched from their accustomed pursuits of peace and were assembled at the call of the government in the tumultuous arena of civil war the immediate effect of which was to diminish

very largely the ordinary national income, and to increase fearfully the national expenditure. Some dale decision was indispensable as the emergency would admit of no delay, and the requirement was not only that the reserved wealth of the nation should be evoked to meet the public emergency but that it should be fused & melted into a current form.

With such demands upon the position our lamented brother was called to the office of Secretary of the National Treasury, not to administer a settled and fixed system but in the rapid whirl and rush of swiftly succeeding events to devise one that was new and commensurate with the public exigency. Experiment may be used in the hours of peace, and if experience fails to demonstrate the wisdom of the measure or exposes its imperfections

it may be abandoned or another may be substituted in its place without great injury to the government.

Not thus however when Secretary Chase was summoned to the performance of the great duty under consideration, as a failure might have been irreparable. Certain success was required, and the result shows that the duty was assigned to a strong, sagacious practical intellect which readily apprehended the nations capacity and was able to grasp the national wealth with such a firm hand and appropriate it to meet the stern and inexorable demands of the public emergency. Complete success followed and it would seem to be a sufficient commentary upon the usefulness of any man to be able to say of him, that under such momentous and inevitable conditions he could and did devise

a system of finance which was commensurate with the unexampled demands upon the National treasury.

Wide differences of opinion exist as to the wisdom of the system as a permanent one, but this is not the occasion for a discussion of the system nor is such an examination necessary to a correct view of the mental and moral condition of its author, as it is rather from the survey of a long and earnest life of public service and the diversity of the labors to which his powers of mind were so nobly and successfully devoted that the enquirer is enabled to draw the most correct conclusions concerning his worth and capacity.

Superior fitness for a public office station is frequently the result of Experience in the performance of the same or similar duties, and the mistakes resulting

from the want of such qualifications have proved that they can hardly be too highly estimated, but we know that there are some few in every generation to whom are vouchsafed an intellectual elevation that enables the possessor almost instinctively to comprehend many of the perplexities of life, for the unraveling of which by others must be paid the hard tuition of patient toil and study and long investigation. Sagacity and forecast, when such gifts are possessed, supply to a large extent the usual demand for an acquaintance with the duties of the particular station or for an intended preliminary preparation for their performance.

Gifts of the kind in a high degree were possessed by the subject of these remarks, as shown throughout his public career as Governor of a great State, Senator in Congress, Secretary of the Treasury and Chief

Justice of this high tribunal. Here versatility of mind could not have so honorably met the demands of these high positions. Success in so various and such important labors without much opportunity for previous preparation, furnishes indubitable evidence of a strong and vigorous mind and a high order of intelligence, which enabled the possessor to analyze and comprehend many things with ease and facility which a mind of lesser grasp would only have pushed further off with every attempt to encompass and expound.

Opportunity for preparation in legal knowledge he did have in his early manhood. Prior to the time he entered public life he was engaged in the practice of the law, and became eminent in his profession, as sufficiently appears in the volumes of the published decisions of this court; and he was eminent as the governor of his

adopted State and as a Senator in Congress before he was called to preside over the national treasury, until it may be said, if the period of Eight years during which he was the Chief justice of this Court be excluded, that he has exemplified his greatness on almost every variety of trial which arises in civil life.

Difficult and untried questions were constantly arising during the early stages of the late rebellion, and none will deny the eminent usefulness of the Chief Justice in solving the difficulties or call in question his sagacity or forecast, in respect to the effect and termination of that conspiracy which, as it is within the recollection of many that he was able to look beyond the mist of civil agitation and see through the darker and more frightful cloud of civil war and to see nearer and nearer every hour the approaching dawn

of a day under whose light all those threatening aspects would be dispelled

Difference of opinion cannot exist as to the variety or importance of his public services, but it is a mistake to suppose that purely intellectual efforts are in every case the unfailing index of the greatness of a man, or that they always furnish the correct means of estimating the value of his public services. As such efforts though great, may be accompanied by such vices of heart and defects of disposition as greatly to lessen or even destroy their influence in such an estimate. Purity, impartiality, love of justice, and respect for public and private rights, are essential elements of greatness in a public man, and in every such respect the character of our deceased brother challenges our highest admiration. His respect for public and private rights is universally

acknowledged and neither envy nor malice can call in question the purity of his life or his impartiality in the performance of his public duties.

Throughout his career as Governor, Senator in Congress and Secretary of the Treasury he always manifested a love of justice, and the same trait of disposition and character is evinced in all his judgments, whether rendered in this Court, or the Circuit Court. We all know with what diligence and patience he investigated litigated questions, and how willing he was to review or even to surrender his own opinion in order to be right at last.

Men find it easy to review others but much more difficult to criticise and review their own acts and yet that is the very summit to which the upright judge should always be striving. Judges

sometimes surrender with reluctance a favorite opinion even when condemnation confronts it every turn, and they find it well nigh impossible to yield it all when it happens to harmonize with the popular voice or is gilded with the rays of successful experiment.

Pride of opinion at such a time is too apt to predominate over a love of justice, but it was exactly under such circumstances that the late Chief Justice was called upon to review as a judge one of the most striking and conspicuous of his acts as the guardian of the national treasury at a moment when the fate of the nation so much depended upon its correct administration.

Great success attended the financial scheme when it was adopted, and time had secured for it an extensive approval, as

the war of the rebellion was victoriously ended and the national wealth was rapidly increasing. Circumstances better calculated to foster pride of opinion cannot well be imagined but the Chief Justice, who had so creditably met the demands of duty in such a great variety of other responsible positions did not hesitate to apply his best powers to the task of reviewing the measure in question and finally recorded his opinion that it was not justified by the Constitution.

Judges and juries may dissent from his final Conclusion and need, as a majority of the Justices of this Court, do, that he was right, as Secretary of the Treasury, but every generous mind, as it seems to me, should honor the candor and self control which inspired and induced such action.

During the rebellion probably

no one mind could have successfully met all the requirements of public duty which the exigency presented, as the country had a war to wage, a union to preserve and a Constitution and Government of laws to uphold & maintain for which purposes a conservative judgment in the judiciary was deemed as essential as the courage of the Soldier or the wisdom of the Executive or the patriotism and forecast of Congress. Heavy responsibilities rested upon all, and it was fortunate that the Supreme Court, throughout a large portion of that period enjoyed the benefit of the wisdom and forecast of the late Chief Justice.

Defects he doubtless had, but he had a calm composed mind, in whose placid depths the bewildering events of the national conflict, were wisely and clearly

the war of the rebellion was victoriously ended and the national wealth was rapidly increasing. Circumstances better calculated to foster pride of opinion cannot well be imagined but the Chief Justice, who had so creditably met the demands of duty in such a great variety of other responsible positions did not hesitate to apply his best powers to the task of reviewing the measure in question and finally recorded his opinion that it was not justified by the Constitution.

Judges and juries may dissent from his final conclusion and need, as a majority of the Justices of this Court, do, that he was right, as Secretary of the Treasury, but every generous mind, as it seems to me, should honor the candor and self control which inspired and induced such action.

During the rebellion probably

no one mind could have successfully met all the requirements of public duty which the exigency presented, as the country had a war to wage, a union to preserve and a Constitution and Government of laws to uphold & maintain for which purposes a conservative judgment, in the judiciary was well nigh as essential as the courage of the Soldier or the wisdom of the Executive or the patriotism and forecast of Congress. Heavy responsibilities rested upon all, and it was fortunate that the Supreme Court, throughout a large portion of that period enjoyed the benefit of the wisdom and forecast of the late Chief Justice.

Defects he doubtless had, but he had a calm composed mind, in whose placid depths the bewildering events of the national conflict, were wisely and clearly

Effected and in most cases correctly calculated to the otherwise perplexed comprehension of many other persons. Clearness, repose and depth, characterized his intellect. Few men were better able to analyze the events of that period as they occurred, and to foresee with more unerring accuracy their effect upon the future welfare of the country when the conflict should end, and it is to these rare, great attributes of mind that the enquirer must turn if he would understand how it was that he was able to discharge with such success the duties of Chief Justice after years of such diverse employment and without much opportunity of preparation, except what he acquired in those employments and in his early practice. Revers and conspicuous names had previously filled that station

but it may be said without fear of contradiction, that our departed Associate, was a fit successor of Marshall and Taney.

Summoned as he was, to the Station of Chief Justice of this Court from a life largely spent, in the Executive, Legislative and administrative departments of the public service, surprise may well be felt at his great success as a judge especially in view of the events which transpired within the period he held the office, and of the great importance and exceptional character of the judicial duty he had to perform. Numerous cases presented for decision within that period involved questions of prize and the exposition of the law of nations or the application of the laws of war, and many others having respect to the obligations, rights,

duties and privileges of citizens, and it is for that reason as well as others that they will ever be regarded as of great value to the public as well as to the legal profession.

But it would be a great error to suppose that the Chief Justice entered upon his high office with partial qualifications for its important duties. On the contrary he brought to the office a profound and comprehensive mind familiarized with almost every variety of public duty and matured strengthened and developed by a long and most instructive experience. He was deeply versed in the great principles of jurisprudence, and upon his accession to the bench sent all the energies of his powerful mind to a mastery of the peculiarities and history of federal judicial decision. His faculties were

eminently adapted to the comprehension of legal science, and so readily did he solve controverted questions of private right, that the principles of law and equity, seemed almost inherent, in his nature.

Appointed, as it were by common consent, he seated himself easily and naturally in the Chair of Justice, and gracefully answered every demand upon the station whether it had respect to the dignity of the office or to the elevation of the individual character of the incumbent, or to his firmness, purity or vigor of mind. From the first moment, he drew the judicial robes around him, he heard all questions submitted to him as a judge in the Calm atmosphere of the bench, and with the deliberate consideration of one who feels that he is determining cases for the remote and unknown

future of a great people.

Throughout his judicial career he always maintained that dignity of carriage, and that calm, noble, and unostentatious manner that uniformly characterized his manners and deportment in the social circle and in his intercourse with his brethren his suggestions were always couched in friendly terms and were never marred by severity or harshness. Even when disease had shattered his physical strength and written its effect in deep and haggard lines upon his countenance, it was unable to rob him of his accustomed air of grandeur, which was merely the outward expression of an elevated & noble nature. Disease however, overpowered his strength and he has closed his life rich in honor, and highly awarded by the affection & respect of his countrymen. He died with

the armor of duty on, wearing the honors of a great and conscientious magistrate.

Since death was inevitable, the highest affection could desire by desire a more fitting departure from the scenes of earth, as he had rounded an arduous and useful life with a period of eight years of most delicate and important service as Chief Justice of the Supreme Court of the Nation, having accomplished a long, consistent and successful public career and clothed with the honorable exercise of the highest attributes of the human judgment.

Difficulties at all times attend the responsibilities of the Chief Justice of this Court, but it should be remembered that the subject of these remarks was called to that elevated station during the most stormy,

and angry period of our national history. and it is praise enough to be able to say that he met all those exigencies with a calm and conscientious sense of duty, and such in my judgment, will be the verdict, which the present generation will transmit to posterity: To which, permit me to add that the justices of this Court have lost a revered companion and the public a great, magistrate and an upright, public servant. Our loss is great, but the loss of his children and grand children is much greater. and to them we tender our sincere sympathies.

The Court cordially concurs in the resolutions of the bar, as presented by the Attorney General and direct that the resolutions, together with the proceedings of the Bar and the remarks of the Attorney General, and of the Court,

be entered on the minutes, and the Court from respect to the memory of the deceased Stands adjourned until tomorrow at twelve o'clock

---

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday October 24. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first, made to the Court in this behalf by Mr Attorney General Williams it is ordered that John Forsyth Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

Friday October 24th 1873 Continued

On motion first made to the Court in this behalf by Mr T. H. Burley, it is ordered that J. Gordon Adam Esquire of Vicksburg State of Mississippi, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Joseph Casey it is ordered that Dethil C Dunkins Esquire of Jacksonville State of Florida be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. H. Boyce, it is ordered that David S. Harrell Esquire of Dawson State of Georgia be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Friday October 24. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Hesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that John Forsyth Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. Burley, it is ordered that J. Gordon Adam Esquire of Vicksburg State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Joseph Casey it is ordered that Dewitt C. Dawkins Esquire of Jacksonville State of Florida be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. H. Boyd, it is ordered that David S. Harrell Esquire of Dawson State of Georgia be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Friday October 24. 1873. Continued

Ex parte. The United States. | Mr Attorney
5 Original. Petitioner. | Generals

Williams in behalf of the United States by leave of the Court, filed a motion for an alternative writ of Mandamus to be directed to the Judges of the Court of Claims requiring and commanding them to allow an appeal to the Supreme Court of the United States from the decree entered by said Court of Claims on the 6th day of May A.D. 1873. in the case of Hernandez J. Aucha's administratrix vs The United States, or in default thereof to show cause to the contrary, at a time to be named by the Court. On consideration whereof it is now here ordered by this Court that an alternative writ of Mandamus be granted according to the prayer of the petitioner, returnable forthwith.

per Mr Justice Clifford.

The First National Bank of Washington et al. Plffs in Error. vs. The State of Texas

On motion of Mr C. Cushing it is ordered by the Court that this cause be not called for argument before the first Monday of January next.

The United States, Appellants. vs. C. V. Woodruff et al and Julia A. Null Exct., of Waller Null deceased et al. Appellant, vs. The United States.

No. 423.

No. 515.

The motion to dismiss these appeals was submitted to the consideration of the Court on printed argument by Mr B. F. Butler in support of the same and by Mr Jos Casey in opposition thereto, in No 515. Whereupon this Court not being now fully sufficiently advised of, & concerning what order to render in the premises took time to consider.

Jessie Elgee Janssen Executrix &c. 1134 vs. Appellant. The United States.	The motion to dismiss this appeal was submitted to the consideration of the Court on printed argument by Mr B. F. Butler, in support of the same, and leave granted Mr Carlisle to file reply thereto.

Jessie Elgee Janssen Executrix &c. 1134 vs. Appellant. The United States.	Mr J. M. Carlisle of Counsel for the appellant having filed and read in open Court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

"That on or about the 30th day of March, in the year 1868 the present Appellant Jessie Elgee Janssen, being one of the distributees of the estate of John K. Elgee, deceased

together with all the other distributees of said estate, filed an original petition in the Court of Claims against the United States claiming the proceeds of the Cotton which is the subject of this litigation which said petition was filed in the said Court within the period prescribed by law and was, and is the commencement of the same suit, which is the subject of the present appeal.

That thereafter the said Court of Claims so proceeded in the premises as to require the various claimants upon the said fund to implead before the said Court, and the said appellant is obedient to the said order filed the petition which is set forth in the transcript, on the appeal now before the Court. But the said original petition which was duly filed within the time prescribed by the Statute does not,

appear in the said transcript."

By reason of which omission and errors aforesaid, the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Court of Claims, commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this court, under the seal of the said Court of Claims whatever omissions and errors shall be found. On consideration whereof it is now here ordered and adjudged by this Court, that a writ of Certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the said Court of Claims, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Court of Claims, whatever omissions and errors shall be found, in this cause

and return the same, with the said writ of certiorari forthwith to this Court. per Mr Justice Clifford.

Elisha Basse vs Plff in Error. The City of Brownsville

389.

Mr Conway Robinson of Counsel for the plaintiff in error having filed his brief in this cause by permission granted, the cause was fully submitted to the Court.

Charles S. Wallach's Exrs &c. vs Appellants. William Douglass Wallach

37.

On motion of Mr Dodge the appearance of Margaret Wallach executrix, and Margaret Wallach, Nannie Wallach, Alice Wallach, Rose Wallach, and Maggie Stewart, devisees of William Douglass Wallach deceased was filed and entered, and they are hereby ordered to be made the parties appellees in this cause,

in the place of said William Douglass Shallcross deceased.

---

117. William Hill vs. Piff in Error. Alfred Kinnikopersdal.

On motion of Mr T. Phillips leave is hereby granted him to withdraw his appearance for the defendants in error in this cause.

---

369 Edward Dupasseur vs. Piff in Error. Mons Kochereau

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr A. Janin in support thereof and by Mr A.G Story in opposition thereto Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises doth time to consider.

Ex parte In the matter of Alphonse Des Marc. 4. Crigt. Petitioner

The motion for a rule on the Court of Claims in this cause was submitted to the consideration of the Court on printed argument by Mr T. J Durant in support thereof. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Henry S. Buckley. 169. U.S. Appellant. The United States.

Mr T. J. Durant of Counsel for the appellant filed motion for an order to be directed to the judges of the Court of Claims in this cause requiring them to state whether or not, certain facts were not found on the trial in that Court, as set forth in the notice filed and marked Exhibit No. 1.

Samuel Cukman.
1811 of 71 vs Appellant
Charles Sawyer et al.

The motion filed by Mr John Lathrop of counsel for the appellees to recall and reform the mandate issued by this Court in this cause on the 13th day of December A.D. 1872 was argued by him in support of said motion and by Mr E. F. Hedges in opposition. Whereupon it appearing to the satisfaction of the Court that there is a clerical error in the mandate issued in this cause to the Circuit Court of the United States for the Southern District of New York, to wit: The omission by the Clerk to write in said mandate the order of this Court entered on the 13th day of January A.D. 1872 directing that said cause abate as to B. H. Eldridge one of the appellants in this cause. It is now here ordered by this Court that said mandate be and the same is hereby recalled. And

that the Clerk of this court, be and he is hereby directed to correct and reform said mandate in accordance with the decree of this Court entered in said cause

And it is further ordered that the Clerk of this court do forthwith certify under the seal of this Court to the Judges of the said Circuit Court, a copy of this order.

per Mr Justice Clifford

45. The United States vs. Plaintiffs
E. B Isham.

The argument of this cause was continued by Mr J. H. Ashton of counsel for the defendants and concluded by Mr Solicitor General Phelps of counsel for the plaintiffs.

119 The Albany City Ins Co. vs James M Ballentine | Submitted for Mr 46.) This cause was argued by Mr A J Parker of Counsel for the plaintiff in error, and by Mr H B Brown of Counsel for the defendant in error.

Ex parte In the matter of Henry S Hyde | Mr H B Brown of Counsel for the petitioner asked & obtained leave to file a petition for a writ of Mandamus in this Cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 27 1873

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

The United States.
vs. Pltfs. in Error
Miss Bessie Elgee Gamson
wife of Edmund J. Gamson,
Executrix of the last will
and testament of her father
John Kingsbury Elgee
deceased.

Pltfs. Error
to the Cir
cuit Court
of the Unit
ed States
for the
District of
Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr Justice Hunt.

Simon Daniel
vs. Pff in Error.
Margaret A. Smith administratrix of William Prescott Smith deceased late Collector of Internal Revenue.

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr Justice Bradley.

Henry A. Boyce Executor of Henry Boyce deceased
vs
Thomas S. Tabb.

In error to the Circuit Court of the United States for the District of Louisiana.

21

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On

consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Davis

Clifton H. Moore and David Davis. Plffs. in Error. vs. Rufus H. Robbins	In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, and it appearing to the Court here that the decree of the said Supreme Court is not a final one, it is now here ordered, adjudged and decreed by this Court that the

writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Swayne

359	Edward Dupasseur vs Plff in Error. Alvin Rochereau	Ordered by the Court that the motion to dismiss this cause, be and the same is hereby postponed until the argument on the merits

389	Elisha Busse vs Plff in Error. The City of Brunswick	Ordered by the Court that the motion to dismiss this cause, be, and the same is hereby postponed until the argument on the merits

Ex parte In the matter of Alphonse DesMare.	On consideration of the petition and

H. Original Petitioner

motion for Mandamus in this cause, and of the argument of Counsel thereupon had in support of the same, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr Justice Clifford.

The United States	Ordered by the

Oct. U.S. Appellants

G. B. Lamar. | Court that the motion of Mr B. F. Butler to docket and dismiss, and also the motion of Mr Attorney General Williams to reinstate this cause on the docket, be assigned for argument on Friday next the 31st instant.

---

423. The United States vs. Appellants. C. V. Woodruff et al. Julia A. Hull Exc'x of Allen Hull dead

515. vs Appellant The United States.

And

Bessie Elgee Jaussen Executrix &c.

424. vs Appellant The United States.

Ordered by the Court that the consideration of the motion to dismiss these cases be postponed until the brief of Mr Carlisle on the 11th is filed.

Amendment to Order in reference to appeals from the Court of Claims.

Rules No. 1

Strike out the whole of clause 2. of the rule and insert in lieu thereof the following:

2. A finding by the Court of Claims of the facts in the case established by the evidence in the nature of a special verdict, but not the evidence establishing them; and a separate statement of the conclusions of law

upon said facts, on which the Court founds its judgment or decree. The finding of facts & conclusions of law to be certified to this court as part of the record.

---

52. Ezekiel Goodwin vs The United States. (Appellant, (submitted for No 47) This cause was argued by Mr T. J. D. Fuller of counsel for the appellant, and by Mr Attorney General Williams and Mr Assistant Attorney General Hill of counsel for the appellees.

---

115. John E. Knode vs Jacob Williamson. (Plff in Error. This cause was argued by Mr W. W. Boyce of counsel for the defendant in Error, and submitted on printed argument by Mr C. W. B. Allison of Counsel for the plaintiff in error.

Monday October 27th 1873 Continued.

46. Robert N. Reed et al. vs Piffs in Error. James Gardner. | In Error to Iowa

This cause was argued by Mr J. M. Carlisle and Mr J. D. McPherson of counsel for the plaintiffs in Error, and by Mr W. H. Boyse of counsel for the defendant in Error

---

51. The Union Pacific Railroad Company Appellant vs William S. Denison Treasurer of Lincoln Co. | On motion of Mr W. M. Evarts it is ordered that this cause be postponed, & be argued immediately after No 86.

William Stull
Pff. vs Piff, in Error.
Alfred Kindekoper
Esqd.

The motion of Mr G. W. Guthrie for a writ of Certiorari in this Cause was opposed by Mr W. D. Davidge and submitted to the consideration of the Court. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises, took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 28. 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

---

47. William Hill vs Pfl in Error. Alfred Hendekoper et al. -

On consideration of the motion for Certiorari in this cause and of the argument of counsel thereupon had as well in support of, as against the same it is

now here ordered by the Court that said motion be, and the same is hereby denied

---

117. William Hull vs. Piff in Error / Fred Kundekoper et al. ab.

Mr G. H. Guthrie of Counsel for the plaintiff in Error having filed and read in open Court the following certificate to wit:

"In the Circuit Court of the United States for the Western District of Pennsylvania.

William Hull a citizen of the State of New Jersey.

vs.

Alfred Kundekoper and Frederick H. Kundekoper citizens of the State of Pennsylvania.

No 41. May Term 1867.

Among the records & proceedings of said Circuit Court inter alia, may be found the following docket entry in the above entitled

suit, viz:
"May 18th 1871, judgment on the verdict"

United States of America
Western District of Pennsylvania } S.S.

I H. D. Gamble Clerk of the Circuit Court of the United States for the Western District of Pennsylvania do hereby certify that the above and foregoing is a true and correct copy of the docket entry in the above case; and do further certify that if the said entry does not so appear upon the record transmitted to the Supreme Court of the United States by me, that the same was inadvertently omitted by me, and that the judgment was so entered on the said 10th day of May 1871, in my own proper hand writing, and before the granting of the writ of Error.

In testimony whereof, witness my hand.

(Seal) and the seal of said Court at Pittsburg this 25 October 1873.

H. D. Gamble
Clerk.

Western District of Pennsylvania, ss:

I William McKennan Judge of the United States Circuit Court for said District do hereby certify that H. D. Gamble above named, was, at the time of making the above certificate, and is now, Clerk of the said Court and that the said certificate made by him is in due form of law.

(Seal)

W. McKennan.
U. S. Circuit Judge."

Now here moved the Court for leave to amend the record filed in said case by the entry of the judgment in the following words, viz: "May 18, 1871. Judgment on the verdict" which was opposed by Mr Darragh for the defendant

in error, and it sufficiently appearing by the certificate of the Clerk of the Circuit Court that the judgment was so entered on that day, and before the granting of the writ of error, and that the words aforesaid were inadvertently omitted by the Clerk of the Circuit Court in preparing the transcript. It is therefore ordered by the Court that the record be amended by entering thereon said judgment, that is to say. "May 18, 1871 - Judgment on the verdict."

Per Mr Justice Clifford.

---

47. - Indiana Stell vs Piff in Error / A. Tuddleper et al

In place of No 52 This cause was argued by Mr J. W. Guthrie of Counsel for the plaintiff in error, and by Mr H. G. Vaudyke for the defendant in error.

Emily F. Wood	J. N. Adams	This cause
53 vs	Appellants.	was ar-
Sanford E. Catlin.		gued by
		Mr P.

Phillips of Counsel for the appellees and submitted on printed arguments by Mr L. Trumbull of Counsel for the appellants

---

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Monday October 29. 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Newey Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr P. Phillips it is ordered that Clement S. Hacker Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr C. M. Keller it is ordered that Esek Cowen Esquire of Troy State of New York be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

	Levi Hollenman et al.	Ordered by the Court that this Cause be,
54	vs Pltfs in Error.	
	Enoch Silver et al.	

and the same is hereby continued to the next term.

	The Burlington Mississippi & Iowa River Railroad Co.	This cause was argued by Mr T. T. Crittenden of counsel
55.	vs. Pltf in Error.	
	Catharine Brown.	

for the plaintiff in error, and by Mr D. Mack and Mr J. R. Ford of counsel for the defendant in error.

Wednesday October 29 1873 continued

56.	David D. Harrell vs. Appellant. E. H. Ball, Assignee	The argument of this cause was commenced by Mr Arnell the appellant.

58.	The American Wood Paper Company vs. Appellant, The Fibre Disintegrating Co. and The Fibre Disintegrating Co. vs. Appellant, The American Wood Paper Company.	On application of Counsel, one additional hour on each side is granted in the consideration of these cases.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 30th 1873.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.
} Associate Justices.

John F. Nicolay Esquire Marshal.
Daniel Ridgely Middleton Clerk.

Proclamation being made the Court is opened.

---

621 Henry D. Cooke vs. Iff in Error. Alexander Hunter.

Mr John Selden of Counsel for the defendant in error having filed and read in open Court the following certificate to wit:

Clerk's Office of the Supreme Court of the District of Columbia.

The 30th day of October 1873.

Henry D. Cooke
vs. Plff in Error.
Alexander Hunter -
deft in error.
} No 7140 - Law.

I, Kelsey J. Meigs Clerk of the Supreme Court of the Supreme Court of the District of Columbia do hereby certify that in a certain cause then depending before the general term of said court, wherein Henry D. Cooke was plaintiff in error & Alexander Hunter was defendant in error final judgment was rendered in the said General term of said court, on the 11th day of May 1873, against the said Henry D. Cooke plaintiff in error, and that thereafter to wit, on the said 11th day of May 1873, there was duly sued out and allowed from the Supreme Court of the United States, at the instance of the said Henry D. Cooke plaintiff in Error, a writ of Error to reverse the said

judgment.

Seal

S. J. Meigs
Clerk."

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered, adjudged by this Court, that this writ of error to the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said writ of error notwithstanding.

Per Mr Justice Clifford

10. The New York Central R. R. Co. vs Plff. in Error Charles C. Lockwood

On motion of Mr. C. N. Hill in behalf of Mr. S. Smith, leave is granted the Clerk to issue the mandate in this cause

---

Order

Ordered, by the Court, that the Clerk be authorized, to issue Mandates in all cases held under advisement at the last term, after the decision shall be announced at the present term, without further order from the Court.

---

56. David S. Harrell vs Appellant E. H. Seall, Appellee.

The argument of this cause was concluded by Mr. D. S. Harrell the appellant in this cause, and submitted on printed argument by Mr. A. J. Akerman of counsel for the appellant. No Counsel appearing for the appellee.

---

57. William B. Moses vs. Francis Keyser — This cause was argued by Mr. T. J. Durant of counsel for the appellee and submitted on printed arguments by Mr. N. D. Davidge and Mr. Th. Jesup Miller of counsel for the appellant.

---

58. The American Wood Paper Co. vs. The Fibre Disintegrating Co. and
151. The Fibre Disintegrating Co. vs. The American Wood Paper Co. — The argument of this case was commenced by Mr. T. A. Jenckes of counsel for the complainant and continued by Mr. R. M. Russell of counsel for the respondents.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Friday, October 31st 1873.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Charles H. Peck, it is ordered that N. B. Thompson Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in

this behalf by Mr. James M. Carlisle, it is ordered that Samuel Huntington, Esquire, of New York City, be admitted to practice, as an attorney and counsellor of this court, and he was sworn accordingly.

---

220 The Susquehanna Canal Co. vs. The Commonwealth of Pennsylvania

In Error to the Supreme Court of the Commonwealth of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on the stipulation of counsel for the respective parties on file, and motion of Mr. R. M. Corwine, in behalf of Mr. J. E. Gowen, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Clifford

---

130. The United States vs Thomas N. Buzzo. Plaintiffs

Mr. J. H. Ashton on behalf of Mr. B. K. Curtis moved the Court to postpone the decision in the case numbered 115, until this case, No. 130, shall have been argued; and moved the court further to assign this case for hearing immediately after the argument in No. 100, in which, Mr. Curtis is of counsel. Whereupon the court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

549. The Steam Tug "M. M. Caleb" her tackle &c., John E. Walsh et al. Claimants. vs. William Dix, Jno. K. Lunt et al. Appellants

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of New York, and on the stipulation of counsel on file, and motion of Mr. J. M. Carlisle in behalf of Mr. J. C. Carter, it is now here ordered, adjudged, and decreed by this court that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

Per Mr. Justice Clifford.

---

180. L. Madison Day vs. Plff. in Error
Thompson Micon et al

Mr. J. A. Campbell of counsel for the defendants in error suggested the death of Willie Annie Micon one of the defendants in error in this cause and moved the court for leave to file, and enter the appearance of the heirs at law of the said Willie Annie Micon, deceased, On consideration whereof it is now here ordered by this court that Augustin Micon, Mrs. Susan Virginia Micon, widow of George T. Rua, Thompson Micon, Richard Willie Micon, & Wm Henry Micon a minor represented by his

VOL

3

UME

I

tutor Augustin Micou, heirs at law of the said Willie Anne Micou, deceased, be, and they are hereby entered and made parties defendants in error in this cause, with liberty to resist this writ of error.

The United States. vs. Alexander Caldwell. 622. Appellants

Mr. T. J. Durant of counsel for the appellee having filed and read in open court the following certificate, to wit:

"In the Court of Claims.

Alexander Caldwell vs. The United States } 6190.

I certify that an application for an allowance of an appeal to the Supreme Court of the United States was filed by the Attorney General in behalf of the defendants, July 5th 1873, from the judgment rendered in the above entitled cause on April 21, 1873, and that the same was allowed by Chief Justice C. D. Drake at Chambers.

I further certify that an application for an appeal to the Supreme Court of the United States from the judgment aforesaid, was also filed by claimants' solicitors July 11, 1873. and that the same was allowed by Chief Justice C. D. Drake at Chambers.

In testimony whereof, I hereto set my hand and affix the seal of said Court of Claims this 28th day of October A.D. 1873.

Seal

John Randolph
Asst. Clk. Ct. of Claims."

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the court, in pursuance of the 9th Rule of this Court, to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered & adjudged by this Court that this appeal be, and the same is hereby docketed and dismissed - And that this cause be, and the same is hereby remanded to the said

Court of Claims to be proceeded in according to law and justice, the said appeal notwithstanding.

Present Mr. Justice Clifford.

602. Reuben Wright vs. Plff. in Error
Jonas M. Tebbetts

The motion of Mr. J. H. Moore to reverse the judgment docketing and dismissing the writ of error in this cause was argued by him in support of said motion. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

---

169. Henry S. Bulkley vs. Appellant
The United States

The motion of Mr. T. J. Durant for an order to be directed to the Court of Claims, in this cause, directing said Court to state whether or not certain facts were not found on the trial &c. was argued by him in support thereof. Mr. Attorney General Williams declining

to argue in opposition thereto- Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider-

---

611. The United States vs. Appellant. / G. W. Lamar

The motion to docket and dismiss this appeal in this cause was argued by Mr. B. F. Butler in support thereof and by Mr. Attorney General Williams in opposition thereto- Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider-

---

58. The American Wood Paper Co. vs. Appellant / The Fibre Disintegrating Co. and The Fibre Disintegrating Co. vs. Appellant / The American Wood Paper Co.

The argument of these causes was continued by Mr R. H. Russell of counsel for the respondents and concluded by Mr T. A. Jenckes of counsel for the complainants. Proclamation being made the court is adjourned

Monday November 3d 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Edward D. McCarthy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Paschal it

is ordered that Asa H. Willis, Esquire of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

22. The State, ex rel: James Robb & Chas. T. Lowndes vs. Plffs. in Error
Wm. Gurney, County Treasurer of Charleston County.

In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting: Mr. Justice Bradley

Per Mr. Justice Hunt.

Mr. Justice Swayne did not sit on the argument of this cause and took no part in the decision.

The State ex rel: Theodore D. Wagner. vs. John R. Stoll, County Treasurer of Charleston County.	In Error to the Supreme Court of the State of South Carolina.

23.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court. per Mr. Justice Hunt.

Dissenting:
Mr. Justice Bradley

Monday November 3d. 1873 Continued.

Mr. Justice Swayne did not sit on the argument of this cause, and took no part in the decision.

Solomon Eitner, for the use of J. Schiffer & Company. vs. The United States

43. Appellants

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley

Fletcher Westray, Alfred H. Gibbes, — Hardcastle, and J. Dodge Jr. vs. The United States

34. Plffs. in Error

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed

Per Mr. Justice Strong.

John A. Horn, Executor of John Horn deceased. vs. William Lockhart, Sarah A. Lockhart & Narcissa P. Lockhart. Appellants

17. Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree

of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Alabama.

Per Mr. Justice Field.

Dissenting:
Mr. Jus. Swayne
" " Davis
" " Strong

---

36. Timothy Conway vs. George J. Standard & H. H. Rand.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and on the points or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its

opinion, agreeably to the act of Congress in such cases made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Davis

John R Lamb, Emma S. Lamb, Ida Squires, J.O.P. Lownsdale, Millard O. Lownsdale, Eugene Semple, Ruth A. Semple, William E. Cooper, Mary E. Cooper, & Lansing B. Mizner. vs. J. A. Davenport

Appeal from the Circuit Court of the United States for the District of Oregon

16.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, it is now here ordered,

adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Miller.

---

20. William Daniel and Mason S Bailey vs. Plffs. in Error / James Whartenby. | In Error to the Circuit Court of the United States for the District of Delaware

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

---

57. William B. Moses vs. Appellant / Francis Keyser | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

---

611. The United States vs. Appellant / G. W. Lamar | On consideration of the motion to docket and dismiss this appeal, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford

adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Miller.

---

20 William Daniel and Mason S Bailey vs. Plffs. in Error James Whartenby. | In Error to the Circuit Court of the United States for the District of Delaware

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

---

57 William B. Moses vs. Appellant Francis Keyser | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

611. The United States vs. Appellant / G. B. Lamar. | On consideration of the motion to docket and dismiss this appeal, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford.

Monday November 3d. 1873. Continued.

The United States
1123. vs. Appellants
C. V. Woodruff et al.

Sophia Elgee Gaujean,
Executrix &c.
1211. vs. Appellants
The United States
and
Julia A. Nutt, Executrix of
Hallet Nutt, deceased.
515. vs. Appellants
The United States.

On consideration of the motions to dismiss these causes, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court that said motions be, and the same are hereby, denied.

per Mr. Justice Clifford.

Henry S. Buckley
169. vs. Appellants
The United States

On consideration of the motion of Mr. P. J. Durant in this cause for an order to be directed to the Judges of the Court of Claims requiring them to state whether or not certain facts were not proved on the trial in that court, and of the argument

of counsel thereupon had in support of the same, it is now here ordered by the court that said motion be, and the same is here by granted.

Per Mr. justice Clifford.

602. Reuben Wright vs. Piff in Error / Jonas M. Tebbetts

Mr. J. H. Moore of counsel for the plaintiff in Error having suggested to the court that the plaintiff in error was prepared to file the record, and have this cause docketed pursuant to the rules of this Court moved the court to rescind and annul the judgment of this Court entered on the 22d. day of October A.D. 1873, docketing and dismissing this writ of error; On consideration whereof, it is now here ordered by this Court that the judgment entered on the twenty-second day of October docketing and dismissing this writ of error, be, and the same is hereby rescinded & annulled, and that the plaintiff in error have leave to file his case and have the same docketed in conformity

to the rules of this Court, upon payment of costs.

per Mr. Justice Clifford.

---

115. The United States vs. E. B. Isham, Plaintiffs

On consideration of the motion to postpone the decision of this case until the case numbered 130 shall have been argued, it is now here ordered by the court that said motion be, and the same is hereby, granted.

per Mr. Justice Clifford.

---

130. The United States vs. Thomas H. Buzza, Plaintiffs

On consideration of the motion to assign this cause for argument immediately after No 100 - it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford.

59. Silas Miller et al vs. Plff's. in Error
William S Morrow et al.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

---

60. The New Jersey Steamboat Company. vs. Plff. in Error
Alfred Pleasanton, Coll. &c.

This cause was argued by Mr. W. T. Frelier and Mr J. M. Carlisle of counsel for the plaintiff in Error, and by Mr. Assistant Attorney General Hill and Mr. Attorney General Williams of counsel for the defendant in Error.

---

61. Lewis M. Stark vs. Plff. in Error
Benjamin Stark

This cause was submitted to the considerations of the court on the record and printed arguments by Mr. George H. Williams and Mr N. H. Chapman of counsel for the plaintiff in error, and by Mr. J. Halsey for the defendant in Error.

---

62. Charles P. Bacon et al. vs. Plffs. in Error / Benjamin Stark. | This cause was submitted to the consideration of the court on printed arguments by Mr J. Halsey of counsel for the defendant in Error – No counsel appearing for the plaintiffs in Error.

63. Enoch Ensley vs. Appellant / The United States | This cause was submitted to the consideration of the court on the record and printed arguments by Mr. C. F. Peck of counsel for the appellant and by Mr. Attorney General Williams and Mr. Solicitor General Phillips for the appellees.

65. The Steam Tug Adelia &c. vs. Appellant / George Jackson, Owner &c. | This cause was argued by Mr. E. D. McCarthy of counsel for the appellant, and submitted on printed arguments by Mr. M. P. Henry for the appellee – The court not desiring to hear further oral argument.

Proclamation being made the Court is adjourned

Tuesday, November 4th. 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. P. C. Coltrill, it is ordered that Henry M. Finch, Esquire of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

66. James H. Carpenter vs. Appellant
The United States

This cause was argued by Messrs. Carlisle & McPherson of counsel for the appellant and by Mr. Solicitor General Phillips for the appellees.

---

68. The Railway Passenger's Assurance Company. vs. Plff. in Error
N. B. Ketchum, Adm'r &c.

Mr. H. D. Thompson of counsel for the defendant in Error opened the record and moved the Court for an affirmance of the judgment with interest and costs, and ten per cent damages, in this cause - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

69. B. F. Randolph vs. Appellant
Roswell F. Howard Adm'r & al.

Ordered by the Court that this cause be & the same is hereby passed for the present.

---

70. Anson Eldred vs. Plff. in Error
The Michigan Insurance Bank.

This cause was argued by Mr. J. P. C. Coltrill of counsel for the plaintiff in error, and by Mr. H. M. Finch of counsel for the defendant in Error.

71. The Northwestern Union Packet Company. vs. Plff. in Error
Mary McCue, Admx. &c.

This cause was argued by Mr. J. P. C. Coltrill of counsel for the plaintiff in Error, and submitted on printed arguments by Mr M. H. Carpenter and Mr Geo H. Lakin of counsel for the defendant in Error.

72. James Murray, Admt. of the Barque "Mary Merritt" vs Appellant
The United States

This cause was argued by Mr. N. J. Emmons of counsel for the appellant, and by Mr Solicitor General Phillips of counsel for the appellees.

Proclamation being made the court is adjourned until to-morrow morning at 12 o'clock.

Wednesday, November 5th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

---

622. The United States vs. Alexander Caldwell, Appellants

On motion of Mr. Assistant Attorney General Hill of counsel for the appellants, and consent of Mr. S. J. Durant of counsel for the appellees, it is now here ordered by this Court that the judgment entered on the 31st of October, docketing and dismissing this appeal, be, and the same is hereby rescinded and annulled—

And that the appellants have leave to docket their cause in conformity to the rules of this Court.

per Mr. Justice Clifford.

---

74. The Steamship "Emily B. Souder" E.A. Souder, Claimant vs. Appellant
John Prichard -
and
The Steamship "Emily B. Souder" E.A. Souder, et al. Claimants.
75. vs. Appellants
Packenham & Beatty et al.

Mr. Charles Donohue of counsel for the appellants suggested the death of E.A. Souder one of the appellants in these cases and obtained leave to file the appearance of his legal representatives.

The Steamship "Emily B. Souder"
E. A. Souder, Claimant
Appellant
74. -vs-
John Prichard.
and
The Steamship "Emily B. Souder"
E. A. Souder et al Claimants
Appellants
75. -vs-
Packham & Beatty et al.

These cases were argued by Mr. Chas. Donohue of counsel for the appellants and by Mr. H. H. Goodrich and Mr. C. Van Santvoord of counsel for the appellees.

Franklin Phiefe &
A. J. Solomons
Plffs. in Error
76. -vs-
Joseph Stock

The argument of this cause was commenced by Mr. R. D. Mussey of counsel for the plaintiffs in Error, & continued by Mr. Geo. H. Paschal of counsel for the defendant in Error. The court declined to hear further argument of this cause.

77. The New England Mutual Insurance Company et al. vs. The Detroit & Cleveland Steam Navigation Company. Appellants

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Willey & Cary of counsel for the appellants, and by Mr. Geo. F. Hibbard for the appellees.

78. The Board of Supervisors of Carroll County vs. The U.S. ex rel: John Reynolds. Plff. in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Isaac Cook of counsel for the plaintiffs in Error and by Mr. Jas. Grant for the defendant in Error

79. Cornelius Cadle Jr. Receiver &c. vs. George Baker & Company. Plaintiff in Error

Ordered by the Court that this cause be, and the same is hereby, continued to the next term.

80. William Best vs Plff in Error
John Doe ex dem:
Sarah Polk.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Watson of counsel for the plaintiff in error, and by Mr. T. J. D. Fuller of counsel for the defendant in Error.

---

81. Joseph C. Willard vs Appellant
Henry A. Willard

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcripts of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. R. T. Merrick stating that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Clifford.

Samuel P. & Austin Brown 82. vs. Plffs. in Error William N. Rapley	This cause was argued by Mr. R. T. Merrick of counsel for the defendant in error, and submitted on printed arguments by Mr. Wilson & Mr. J. H. Ashton of counsel for the plaintiffs in Error.
George H. Real et al. 83. vs. Plffs. in Error The State of Missouri Exel: Wm. Hayes.	Ordered by the Court that this cause be passed until tomorrow.

Proclamation being made the Court is adjourned until to morrow at 12 o'clock.

Thursday, November 6th 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Reverdy Johnson it is ordered that William C. Schley and R. Goodwin Matthews, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George N. Paschal, it is

ordered that A. A. Hawkins, Esquire, of Americus, State of Georgia, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. D. Law, it is ordered that E. A. Tufts, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

83. George H. Reed Adl. vs. Plffs. in Error / The State of Missouri, Ex rel: &c to the use of Wm Hayes. | On motion of Mr. Smith, and consent of Mr. Broadhead, it is ordered by the Court that this cause be passed for the present.

---

84. Robert A. Lucas vs. Plff. in Error / Peter C. Brooks Jr. | On motion of Mr. C. J. Faulkner, leave is hereby granted counsel to file briefs or printed arguments in this cause on Monday the 17th inst. when the case is to be submitted.

---

85. James Adams vs. Appellant / Alpheus H. Burbs. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr. C. B. Goodrich of counsel for the appellant and by Mr. R. H. Dana Jr. for the appellee.

---

86. Eugene S. Emson et al vs. Plffs. in Error / Norman H. Dodge et al. | This cause was argued by Mr. F. H. Betts of counsel for the plaintiffs in Error and by Mr. S. D. Law for the defendants in Error.

---

87. Roland G. Mitchell vs. Appellant / Richard A. Tilghman | Ordered by the Court that this case be passed for the present

88. The Chicago & North Western R.R. Co. vs. Plffs. in Error / Darius Fuller and The Chicago & North | These causes were submitted to the consideration of the Court on the records & printed arguments by

Western R.R. Co. vs. Plffs. in Error 89. Darius Fuller	Mr. B.C. Cook of counsel for the plaintiffs in Error, and by Mr. J.H. Ashton and Mr. A. Wilson for the defendant in Error.

The Mayor & Aldermen of Nashville vs. Plffs. in Error 90. Gibson Merritt, Alfred G. Merritt, F. Hagen, C.H. Hagen, & The Nashville Building Association	In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and on the stipulation of counsel for the respective parties on file, it is now here ordered & adjudged by this Court that the writ of Error in this cause, be, and the same is hereby, dismissed at the costs of the defendants in Error.

Per Mr. justice Clifford.

Adolphe C. Weber
41. vs. Appellant
The Board of State
Harbor Commissioners

Ordered by the Court that this cause be passed for the present.

Roland G. Mitchell
311 vs. Appellant
R. A. Pilgrim

On motion of Mr. George Harding and consent of Mr. S. D. Law, it is ordered that this cause be argued with No. 87.

Roland G. Mitchell
87. vs. Appellant
R. A. Pilgrim
and
Roland G. Mitchell
311. vs. Appellant
R. A. Pilgrim

Mr. Geo. Harding & Mr. S. D. Law moved the Court for an extension of time in the argument of these cases. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 7th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.
} Associate Justices

John G Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. H. B. Allison it is ordered that Daniel B Lucas, Esquire, of Charlestown, West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1151. The Grover & Baker Sewing Machine Co. vs. Plff. in Error
The Florence Sewing Machine Company.

The motion filed by Mr. J. G. Abbott to advance this cause on the docket and assign a day for argument was argued by him in support thereof. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

306. Antonio Ricardi vs. Plff. in Error
The State of Alabama.

The motion to dismiss this case was submitted to the consideration of the court on printed arguments by Mr. P. Phillips in support of the same and by Mr. S. F. Rice in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Aaron S. Vanneva et al. 344. vs. Plffs. in Error Benjamin R. Bryant.	The motion to dismiss this cause was submitted to the consideration

of the Court on printed arguments by Mr. Charles R. Train in support thereof, and by Mr. R. M. Morse jr. in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

William S. Moses 57. vs. Appellant Francis Keyser	On motion of Mr. S. J. Durant, ordered that leave be granted the Clerk to issue the

Mandate in this cause.

Roland G. Mitchell 87. vs. Appellant R. A. Filghman and Roland G. Mitchell 340. vs. Appellant R. A. Filghman	Mr. W. M. Evarts of counsel for the appellant moved the Court to postpone the argument of these cases for a week or ten days from this date or

to allow him and his apociates time in which to file brief in No. 340, which was opposed by Mr. Harding of counsel for the appellees. On consideration whereof, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Susan S. Allen
vs. Appeal and
Thomas D. Allen

The motion to docket & dismiss this cause was argued by Mr. J. H. Bradley in support of the same, & by Mr. M. Thompson in opposition thereto. On consideration whereof, it is ordered by the Court that said motion be, and the same is hereby denied. And that Mr. Thompson have leave to file the record and docket the case.

George H. Reed et al.
vs. Affs. in Error
The State of Missouri Ex rel:
& to the use of Mrs. Hayes

83.

This cause was argued by Mr. Aug. H. Smith and Mr. J. B. Henderson of counsel for the plaintiffs in Error and by Mr. J. O. Broadhead for the de-

Defendants in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

---

Monday. November 10th 1873.

Pursuant to adjournment the Court met at twelve o'clock M. at the Capitol.

Present.

The Honorable Nathan Clifford,
Noah H. Swayne,
Samuel F. Miller,
David Davis,
Stephen J. Field,
William Strong,
Joseph P. Bradley &
Ward Hunt,
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Henry Lawrence Lazarus, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

Robert A. Reed, and N. Morgan Weaver, as R. A. Reed & Co.	In Error to the Circuit Court of the United States for the Southern District of Georgia
46. vs. Plffs. in Error	
James Gardner.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Georgia.

per Mr. Justice Hunt.

John E. Rhode	In Error to the District Court of the United States for the District of West Virginia
48. vs. Plff. in Error	
Jacob Williamson	

Monday, November 10th, 1873, Continued.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with directions to award a new trial.

per Mr. Justice Strong

---

112 William C. Ray -vs- Murray F. Smith, Plff. in Error

In Error to the District Court of the United States for the Middle District of Alabama

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court,

in this cause, be and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Alabama at Mobile, with directions to award a new trial.

Per Mr Justice Strong.

Isaac S. Masterson, Assignee in Bankruptcy of John H. Herndon, Bankrupt, et al. vs. Appellants. Volney E. Howard, Richd A. Howard, Rufell Howard, Thos H. Bennell, C. H. Bennell, E. H. Lombard, J. A. Lombard, & M. Howard heirs at-law of I. B. H. Howard, deceased. Appeal from the Circuit Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit

Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

---

117. William Stitt vs. Plff. in Error
Alfred Huidekoper, & Frederick H. Huidekoper

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, & the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

---

52. Asahel Goodwin vs. Appellant
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Swayne

The Grover & Baker Sewing Machine Co.		On consideration of
1451.	vs. Pfff. in Error	the motion of Mr.
The Florence Sewing Machine Company		J. S. Abbott to advance this cause on the docket, and

appoint a day for argument, and of the argument thereupon had in support of the same, it is now here ordered by the Court that the motion to advance be, and the same is hereby, granted, under the 5th clause of the 26th Rule. the case to be heard within the term, at a time to be hereafter fixed by the Court, of which the Clerk, when directed by the Court, will give seasonable notice.

per Mr. Justice Clifford.

Aaron B. Vanneva et al.
11. vs. Plffs. in Error
Benjamin R. Bryant.

On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford.

Antonio Ricardi
306. vs. Plff. in Error
The State of Alabama.

Ordered by the Court that the motion to dismiss this cause be, and the same is hereby postponed until the cause is reached for argument on the merits.

per Mr. Justice Clifford.

Lewis M. Starr
61. vs. Plff in Error
Benjamin Starr.

In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon.

and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

Charles P. Bacon, Samuel Sherlock & William Sherlock &c. vs. Benjamin Stark &c. | In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

63. Enoch Easley vs. The United States — Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Mr. Justice Clifford.

68. The Railway Passenger's Assurance Company vs. Plff. in Error. Hyland B. Ketchum, Admr of Wm. Blair, deceased. | In Error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs and damages at the rate of ten per cent. in addition to interest from the date of the judgment below until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Clifford.

Samuel P. Brown and Austin Brown vs Plffs. in Error / William H. Rapley / In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment

of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs, and damages at the rate of ten per cent. in addition to interest from the date of the judgment below until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Justice Clifford.

Emily F. Adams, &
John A. Adams
vs Appellants.
Sanford E. Catterlin

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Clifford

650. John C. Allen vs. Plff. in Error
The First National Bank of Xenia.

Mr A. J. Rumsay of counsel for the defendant in Error, having filed and read in open Court the following certificate to wit:

"State of Ohio } Supreme Court of the State of Ohio.
City of Columbus } Of the Term of December A.D. 1872

John C. Allen
vs.
First National Bank
of Xenia, Ohio.

I, Rodney Foos, Clerk of the Supreme Court of the State of Ohio, do hereby certify that on the 6th day of May A.D. 1873, at the December Term A.D. 1872, a final judgment was rendered by the Court here in the above entitled cause, wherein John C. Allen was plaintiff in Error, and The First National Bank of Xenia, Ohio, was defendant in Error, in favor of the said First National Bank of Xenia, Ohio, and that on the 22d day of

May, A.D. 1873. a writ of Error, to said Supreme Court of Ohio on said judgment from the Supreme Court of the United States, was duly sued out and allowed.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court of Ohio this 6th day of November A.D. 1873.

Seal

Rodney Foos
Clk. S.C.O."

and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of Error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this writ of Error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of Error to the Supreme Court of the State of Ohio, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded

to the said Supreme Court to be proceeded in according to law and justice the said writ of Error notwithstanding.

Per Mr. Justice Clifford.

334.	The United States vs. The Bank of Maitland, & John A. Moore, Clerk.	Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the motion of Mr. Attorney General Williams, of counsel for the appellants, it is now here ordered, adjudged, and decreed by this Court, that this appeal be, and the same is hereby dismissed.

Per Mr. Justice Clifford.

51.	The Union Pacific R.R. Co. vs. H. S. Peniston, Treasurer &c.	Appellant	This cause was argued by Mr. W. M. Evarts of

counsel for the appellants, and by Mr. J. M. Woolworth for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November 11th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

---

172. The United States on the relation of Lewis Bros. & Co. vs. Plffs. in Error
Geo. S. Boutwell, Secy of the Treasury.

Mr. R. M. Corwine of counsel for the plaintiffs in Error in this cause having suggested to the Court that George S. Boutwell, the defendant in Error in this cause, has resigned the office of Secretary of the Treasury, and that William

A. Richardson has been appointed his successor in said office, and is fully empowered and lawfully clothed with all the duties of said office; moved the Court for an order dismissing the said Geo. S. Boutwell and substituting in his place the said William A. Richardson, Secretary aforesaid, as the defendant in error in this cause: On consideration whereof, it is now here ordered by the Court that the said cause abate as to the said Geo. S. Boutwell, and that William A. Richardson, Secretary as aforesaid, be, and he is hereby entered and made the party defendant in error in this cause, in place of the said George S. Boutwell, with liberty to resist this writ of Error.

---

87. Roland G. Mitchell vs. Richard A. Tilghman and Roland G. Mitchell vs. Richard A. Tilghman 340. Appellant Appellant

The argument of these cases was commenced by Mr. C. M. Keller of counsel for the appellant

and continued by Mr. George Harding of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 12th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. M. Keller, it is ordered that Kenneth G. White, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

87 Roland G. Mitchell, Appellant
vs.
Richard A. Filsinan and

The argument of these cases was continued

340. Roland G. Mitchell vs. Appellant / Richard A. Fitzhugh

by Mr. George Harding of counsel for the appellee & by Mr. W. M. Evarts of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 13th, 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford. }
Noah H. Swayne }
Samuel F. Miller } Associate
Stephen J. Field } Justices
William Strong }
Joseph P. Bradley }
Ward Hunt }

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. Carlisle it is ordered that William H. Underwood, Esquire, of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Spencer Frank
106. vs. Appellant
Constantine Mazwire et al.

On motion of Mr. B. R. Curtis, it is ordered that this cause be

passed, and not to be called for argument before the first Monday of December next.

---

87. Roland G. Mitchell vs. K. A. Filghman and
340. Roland G. Mitchell vs. K. A. Filghman

The argument of these cases was concluded by Mr. N. M. Evarts of counsel for the appellant.

---

91. Adolph C. Weber vs. The Board of State Harbor Commissioners.

This cause was argued by Mr. John F. Swift of counsel for the appellees & submitted on printed argument by Mr. Irvine of counsel for the appellant.

---

92. Eugene Lasere vs. Eugene Rocheran et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by

Mr. J. A. Campbell and Mr. D. G. Campbell of counsel for the plaintiff in Error – No counsel appearing for the defendants in Error.

No. 73. A. & G. Miltenberger vs. Pltfs. in Error Edwin G. Cook. | Ordered by the Court that this cause be, and the same is hereby, passed for the present.

No. 74. Wilford L. Wilson, Assignee &c. vs. Complainant The City Bank of St. Paul. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. J. Rogers of counsel for the complainant and by Mr. Harvey Officer of counsel for the defendant.

No. 76. The United States vs. Appellants Jules Lasere et al. | This cause was argued by Mr. Solicitor General Phillips of counsel for the appellants and by Mr. H. Penn Clarke for the appellees.

Thursday November 13th 1873, Continued.

95. The Amoskeag Manufacturing Company vs. The United States. Appellant

Ordered by the Court that this cause be, and the same is hereby stayed for the present.

---

97. William H. Stark and William E. Alexander vs. The United States. Plaintiffs in Error.

In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed at the cost of the plaintiffs in Error, per stipulation on file.

Per Mr Justice Clifford.

Thursday, November 13th. 1873, Continued.

Alexander Hardy et al. vs. James Harbin et al.	Appellants	Ordered by the Court that this cause be, and the same is hereby continued to the next term (per stipulation of counsel on file.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 14th 1873.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

---

317. E. M. Boley et al. vs. Plffs. in Error
Sarah M. Griswold.

Mr. Robert Leech of counsel for the defendant in Error having suggested the death of Sarah M. Griswold the defendant in Error in this cause, moved the Court for an order admitting Cornelius Griswold Executor of the said decedent as party defendant in Error in this cause: On consideration whereof,

it is now here ordered by the Court that the said Cornelius Griswold, Executor of Sarah M. Griswold, deceased, be, and he is hereby entered and made the party defendant in Error in this cause with liberty to resist this writ of Error.

Robert Graeme, Exec'r.
03 vs. Plff. in Error
Patrick Cullen et al.

Mr. Conway Robinson of counsel for the defendants in Error asked leave to submit the motion to dismiss the writ of Error in this cause without printing the record, which was argued by him in support of the same and by Mr. James Lyons in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States on the relation of Lewis Bros. & Co.
172. vs. Plffs. in Error
H. A. Richardson substituted for Geo. S. Boutwell, Secretary of the Treasury.

Mr. Assistant Attorney General Hill filed motion to rescind and annul the order entered in

this cause on the 11th instant, substituting William A. Richardson, Secretary of the Treasury for George S. Boutwell.

Ex parte Millon Malone, Petitioner. | The motion & petition for the allowance

6 Original.

of a writ of Error in this cause was argued by Mr. W. A. Hawkins & Mr. G. A. Walker in favor of the same, and by Wm P. Phillips in opposition thereto. Whereupon this Court not being now-here sufficiently advised of and concerning what order to render in the premises took time to consider.

Louisa C. Medway vs. The United States, Appellant | The motion for a rule on the Judges of the Court of Claims requiring said

155.

Court to find an additional fact in this cause was argued by Mr. Thomas Wilson in support of the same and by Mr. Assistant Attorney General Hill in opposition thereto. Whereupon this Court not being now-here

sufficiently advised of and concerning what order to render in the premises took time to consider.

William S. Shrewsbury
162. vs. Appellant
The United States

The motion for a rule on the Judges of the Court of Claims requiring said Court to find additional facts in this cause was argued by Mr. T. J. Durant in support of the same and by Mr. Assistant Attorney General Jofforth in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Alexander Caldwell
635. vs. Appellant
The United States

Ordered that the motion of Mr. T. J. Durant for a rule on the Judges of the Court of Claims requiring said Court to find additional facts in this cause, be, and the same is hereby, postponed till Friday next.

Ex parte In the matter of The United States 5. Original - Petitioners	Mr. Assistant Attorney General Forsyth filed exceptions to the sufficiency of the return

to alternative writ of mandamus issued in this cause, and also filed motion for an additional return which was argued by him, and by Mr. Assistant Attorney General Hill in support of the same and by Mr. H. Tenn Clarke in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Robert Graves Exec'x &c. 603. vs. Pltff. in Error Patrick Cullens et al.	Ordered by the Court that leave be granted Mr. Webb to file mo-

tion for writ of Certiorari in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 17th 1873

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

James Murray, claimant of the Bark "Mary Merrill"
vs. Appellant
The United States

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Hunt

Eugene S. Emmons & Jacob Lagowitz vs. A. J. Sellards & Norman W. Dodge, S. Benjamin Meigs and William E. Dodge

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, af-

firmed with costs.

Per Mr. Justice Hunt.

Mr. Justice Strong did not sit on the argument of this cause, and took no part in the decision.

The Steaming "Adelia" &c.
George E. Holyoke, Claimant.
65. vs. Appellant and
George Jackson, owner and master of the Barge "Alaska".

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Bradley.

66. James H. Carpenter vs. The United States | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby affirmed.

Per Mr. Justice Strong.

74. The Steamship "Emily" B. Souder &c. vs. John Pritchard. | Appeal from the Circuit Court of the United States for the Southern District of New-York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here

ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr. Justice Field.

The Steamship Emily B. Souder, Stephen D. Souder, Claimants-

75. vs. Appellants

Pickenham Beatty, August Tappenbeck & August Christiansen.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is

hereby, affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of New-York.

per Mr. justice Field.

---

55. The Washington, Alexandria & Georgetown Railroad Co. vs. Riff. in Error
Catharine Brown.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

per Mr. Justice Davis

---

110. The United States vs. Anthony N. Henry | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Miller.

70. Anson Eldred vs Plff. in Error The Michigan Insurance Bank &c. | In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be,

and the same is hereby, reversed, each party paying their own costs in this Court - And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Miller.

Franklin Philp and Adolphus S. Solomons. vs. Plffs. in Error. Joseph Stock

76. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a venire facias de novo.

Per Mr. Justice Swayne.

---

60. The New Jersey Steamboat Co. vs. Alfred Peasanton, Collector of Internal Revenue. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Dissenting: Mr. Justice Bradley.

per Mr. Justice Swayne

---

603. Robert Graeme, Exec'r &c. vs. Aff. in Error Patrick Cullen et al. | On consideration of the motion of Mr. Conway Robinson for leave to submit the motion to dismiss the writ of error in this cause without printing the record, and of the argument of counsel thereupon had:

as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied; And it is further ordered that said motion to dismiss be, and the same is hereby, postponed until the record is printed, when the parties may be heard on printed arguments as prescribed by the sixth rule.

Per Mr. Justice Clifford.

The United States on the relation of Lewis Bros. & Co. vs. Error in Error. William A. Richardson (substituted for Geo. S. Boutwell Secretary of the Treasury.

1872.

Ordered by the Court that the motion of Mr. Assistant Attorney General Hill to rescind the order substituting William A. Richardson the present Secretary of the Treasury, as defendant in Error in this cause, in the place of George S. Boutwell the former Secretary, be set for hearing on Thursday the 20th instant, being the next motion day.

Per Mr. Justice Clifford.

6	Ex parte, In the matter of Milton Malone. Original. Petitioner.	On consideration of the motion and petition for the allowance of

a writ of Error in this cause & of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said petition be, and the same is hereby denied. All the Justices being of opinion that no federal question is presented in the record consequently the question as to the jurisdiction of the Court to allow such a writ in a proper case is left undecided.

per Mr. Justice Clifford.

155.	Louisa C. Meaway vs. The United States	Appeal from the Court of Claims -

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the consent of Mr. Assistant Attorney General Hill, it is now here ordered and adjudged by this

Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein - in conformity to law and justice.

per Mr. Justice Clifford

162.	William C. Shrewsbury vs. The United States	Appellant	On consideration of the motion for a rule on the Judges of the Court of Claims, requiring said Court to find additional facts in this cause, and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford

5.	Ex parte, In the matter of The United States	Petitioners	On consideration of the motion of Mr. Assistant Attorney

General Goforth for an order requiring the Judges of the Court of Claims to make an additional return in this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Clifford.

Mr. Justice Clifford announced to the Bar that the Court will not sit on Friday of this week, but will devote that day as well as Saturday, to purposes of consultation, and that motions will be heard on Thursday.

---

111. Joseph J. Thompson vs. Plff. in Error John N. Whitman

On the application of Mr. J. P. Stockton leave is hereby granted Mr. Robert Gilchrist, Attorney General of New Jersey, to intervene, and be heard in the argument of this cause.

The Amoskeag Manufacturing Company.
vs. Appellant
95. The United States.

The argument of this cause was commenced by Mr. C. F. Peck of counsel for the appellant, continued by Mr. Solicitor General Phillips and Mr Attorney General Williams of counsel for the appellees, and concluded by Mr. N. H. Mac Farland of counsel for the appellant.

Robert A. Lucas
vs. Pff. in Error
84. Peter C. Brooks, Jr.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. A. B. Allison & Mr. Daniel B. Lucas of counsel for the plaintiff in Error, and by Mr. C. J. Faulkner of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at 12 o'clock.

Tuesday, November 18th. 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Nathan Clifford. }
Noah H. Swayne }
Samuel F. Miller }
David Davis } Associate
Stephen J. Field } Justices
William Strong }
Joseph P. Bradley }
Ward Hunt. }

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Donohue, it is ordered that Charles A. Black, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Ship "Star of Hope"
S. G. Reed, Claimant.
101. vs. Appellant
Andrew S. Church et al.

By consent of counsel in No. 99 It is now here ordered by the Court that this cause be, and the same is hereby substituted in argument for No. 99.

The Ships "Star of Hope"
S. G. Reed, Claimant
101. vs Appellant
Andrew S. Church et al.

The argument of this cause was commenced by Mr. C. Donohue of counsel for the appellant, continued by Mr. Charles E. Whitehead of counsel for the appellees and concluded by Mr. Donohue for the appt.

The Union Pacific R.R. Co.
99. vs. Plff. in Error
Jesse L. Fort.

This cause was argued by Mr. C. P. James of counsel for the plaintiff in Error and submitted on printed argument by Mr. J. J. Reddick of counsel for the defendant in Error.

100.	Charles P. Moorman et al. vs. Walter Hoge et al. Appellants	Ordered by the Court that this cause be, and the same is hereby passed for the present.

102.	The Mercantile Mutual Insurance Company vs. Benjamin F. Folsom Plff. in Error	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Carter of counsel for the plaintiff in Error, and by Mr. C. A. Seward for the defendant in Error.

103.	The Western & Atlantic Railroad vs. J. H. Taylor Plaintiff in Error	In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the authority of Mr. John Baxter of counsel for the plaintiff in Error, on file, it is

now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

per Mr. justice Clifford.

---

104. John Carroll Brent Surviving Executor &c. vs. Plff. in Error
The State of Maryland use of Augustus H. Garfield

The argument of this cause was commenced by Mr. T. T. Crittenden of counsel for the plaintiff in Error, continued by Mr. S. S. Hendee of counsel for the defendant in Error, and concluded by Mr. Crittenden for the plaintiff in Error.

---

105. The Washington University of Missouri vs. Plff. in Error
Geo. B. Finch, Assignee

Ordered by the Court that this cause be, and the same is hereby passed, to be submitted when briefs are filed.

Tuesday, November 18th 1873. Continued.

107. Isaac C. Dubose et al vs. Mims Walker, Appellants

The argument of this cause was commenced by Mr. P. Phillips of counsel for the appellant, and continued by Mr. R. T. Merrick of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 19th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamations being made the Court is opened

On motion first made to the Court in this behalf by Mr. C. M. Hawley, it is ordered that Francis Miller, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney & counselor of this Court and he was sworn accordingly

654. John K. Shepley, John F. Gibbons, & Chas Parsons, Trustees under the will of Wm M. McPherson, deceased. -vs- Plaintiffs in Error
John E. Cowan, Samuel M. Coleman, Samuel N. Niles, Edward B. Hogan, Michael Chartrand, Joseph A. Chartrand, Felix F. Chartrand, F. Chartrand, P. F. Chartrand & A. F. Chartrand.

Mr. Montgomery Blair of counsel for the defendants in Error having filed and read in open Court the following certificate, to wit:

"State of Missouri ss:
In the Supreme Court held at St. Louis, of the State of Missouri,
March Term 1873.
April 30. 1873.

John K. Shepley, John F. Gibbons & Charles Parsons, Trustees under the will of William M. McPherson, deceased.
Respondents
vs.
John Eyes Cowan, Samuel M. Coleman, Samuel N. Niles, Edward B. Hogan, Michael Chartrand, Joseph A. Chartrand, Felix F. Chartrand, F. Chartrand, Paschal F. Chartrand, and Antoine F. Chartrand,
Appellants.

Wednesday, November 19th 1873 Continued.

Appeal from St. Louis Circuit Court -
Now again comes the parties aforesaid by their respective attorneys, and the court being now sufficiently advised of and concerning the premises, doth consider and adjudge that the judgment rendered herein by the said St. Louis Circuit Court be reversed, annulled, & for naught held and esteemed; that the said appellants be restored to all things which they have lost by reason of the said judgment, that the said respondents take nothing by their suit in this behalf, but that their petition herein be dismissed; and that the said appellants go thereof without day and recover of the said respondents their costs and charges herein expended.

Opinion filed.

In the Supreme Court held at St. Louis of the State of Missouri

March Term 1873

May 7 1873.

John R. Shepley dal Trustees &c., of William M. McPherson

-vs- Respondents

Wednesday, November 19th 1873. Continued.

John Epes Cowan et al.
Appellants -

Now again come the respondents by their attorneys and file a writ of Error herein from the Supreme Court of the United States, a citation and a bond in the sum of One thousand dollars, and the Court allows said writ of Error and approves the bond, and the Court orders that a memorandum of the points ruled upon in this cause be certified & made part of the record herein.

State of Missouri. ss:
I, the undersigned, Clerk of the Supreme Court held at St. Louis of the State of Missouri, certify the foregoing to be true and complete copies of the record entries made by said Court in the case of John K. Shelley et al vs. John E. Cowan et al, as fully as the same remain of record in my office.

In witness whereof I hereto set my hand and affix the seal of said Court at

Seal

office in St. Louis the
5th day of November 1873.
J. Thornburgh
Clk."

and having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of Error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this writ of Error docketed & dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Supreme Court of the State of Missouri be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court, to be proceeded in according to law and justice the said writ of Error notwithstanding.

Per Mr. Justice Clifford.

John Estes Cowan et al.
Appellants -

Now again come the respondents by their attorneys and file a writ of Error herein from the Supreme Court of the United States, a citation and a bond in the sum of One thousand dollars, and the Court allows said writ of Error and approves the bond, and the Court orders that a memorandum of the points ruled upon in this cause be certified & made part of the record herein.

State of Missouri, Ss:
I, the undersigned, Clerk of the Supreme Court held at St. Louis of the State of Missouri, certify the foregoing to be true and complete copies of the record entries made by said Court in the case of John R. Shelley et al vs. John E. Cowan et al, as fully as the same remain of record in my office.
In witness whereof I hereto set my hand and affix the seal of said Court at

Seal

office in St. Louis the
5th day of November 1873.
J. Thornburgh
Clk."

and having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of Error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this writ of Error docketed & dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Supreme Court of the State of Missouri be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court, to be proceeded in according to law and justice the said writ of Error notwithstanding.

per Mr. Justice Clifford

Wednesday November 19th. 1873 Continued.

107	Isaac G. Du Bose et al. vs. Meins Walker	The argument of this cause was continued by Mr. R. T. Merrick of counsel for the appellees & concluded by Mr. P. Phillips for the appellants.

108	The Manhattan Life Ins. Co. vs. Plff. in Error Dolores Francisco	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Carlisle & Mr. J. D. McPherson of counsel for the plaintiff in Error and by Mr. C. W. Kendall of counsel for the defendant in Error.

109	Samuel G. Wheeler Jr. vs. Appellant George Harris et al.	Ordered by the Court that this cause be passed until the 29th inst. when judgment of affirmance is to be entered if the case is not settled before that date.

110.	Jefferson Facey vs. Plff. in Error Mary Irwin et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. H. Willoughby of counsel for the plaintiff in error and by Mr. S. F. Beach of counsel for the defendants in Error.

112.	Thomas J. Burke vs. Plff. in Error Louis Fregre et al.	Ordered by the Court that this cause be stayed not to be called before Monday next.

113.	John T. Glenn et al. Assignees &c. vs. Appellants George Johnson et al.	This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. Arnold & Mr. Broyles of counsel for the appellants - No counsel appearing for the appellees.

Wednesday, November 19th 1873. Continued.

114.	The Salesville Institute et al. vs. Max Kauffman et al.	Appellants / This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland of counsel for the appellants and by Mr. H. M. Rose of counsel for the appellees.

115.	Jeremiah M. Mason vs. Jno. F. Moore, Sam'l &c.	Aff. in Error / Ordered by the Court that this cause be, and the same is hereby stayed for the present.

116.	Philip G. Galpin vs. Lucy B. Page	Aff. in Error / Ordered by the Court that this cause be, and the same is hereby stayed for the present.

111	Joseph J. Thompson vs. John Whitman	Aff. in Error / On the application of counsel - It is now here ordered by the Court that

two hours additional be allowed counsel for the plaintiff in Error, and one hour additional to the counsel for the defendant in Error, in the argument of this cause.

---

111. Joseph J. Thompson vs. Plff. in Error
John Whitman

The argument of this cause was commenced by Mr. C. A. Black of counsel for the plaintiff in Error & continued by Mr. Robert Gilchrist Attorney General of New Jersey in behalf of the said State intervening.

Proclamation being made the Court is adjourned until to-morrow at 12 o'clock.

Thursday, November 20th 1873

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford.
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. St. Pern Clarke it is ordered that George H. Wakefield, Esquire, of Sioux City, State of Iowa, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Ex parte: The United States		The motion
5. original -	Petitioners	for a writ of
		peremptory

mandamus in this cause was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Williams and Mr. Assistant Attorney General Goforth, of counsel for the petitioners in support of the same, and by Mer J. J. Reed, Mr. R. M. Corwine, and Mr. N. P. Clarke for the respondents, in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States, on the relation of Lewis Bros. & Co.		The motion of
172.	vs. Plffs. in Error	Mr. Assistant
William A. Richardson		Attorney Gen-
(substituted for George S.		eral Hill to
Boutwell, Secretary of the Treas-		rescind the
ury.)		order sub-
		stituting Wil-
		liam A.

Richardson the present Secretary of the Treasury as defendant in Error in this cause, in the place of George S. Boutwell the former Secretary, was submitted to the consideration of the Court on printed arguments by Mr. Hill in support of said motion, with leave to Mr. R. M. Corwine to file brief by to-morrow; and leave to Mr. Hill to file brief in reply thereto.

638 Alexander Caldwell vs. The United States

Appellant

The motion for a rule on the Judges of the Court of Claims requiring said Court to find additional facts in this cause was argued by Mr. T. J. Durant in support of the same and by Asst. Attorney General Goforth in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning the premises took time to consider.

111. Joseph J. Thompson vs. Plff. in Error John Whitman	The argument of this cause was continued by Mr. John L. Edwards and Mr. Wm. M. Evarts of counsel for the defendant in Error, and concluded by Mr. Robert Gilchrist Attorney General of New Jersey, in behalf of said State intervening-

---

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. November 24. 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that Charles D. Bradley, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Janin, it is ordered that

E. J. Bennett, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

96. The United States vs. Jules Lapene and Auguste Ferre. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed. And that this cause be and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition of the claimants.

per Mr. Justice Hunt

Dissenting:
Mr. Jus. Miller
" " Field.

The Board of Supervisors of Carroll Co.
vs. Plff. in Error
The United States ex rel: John Reynolds.

In Error to the Circuit Court of the United States for the District of Iowa.

78.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to give judgment on the demurrer for the defendants below.

Per Mr. Justice Strong.

Dissenting:
Mr. Jus Clifford
" " Swayne

The Board of Public Works of Virginia. vs. Appellant
31. The Columbia College, S. Edward Julich et al.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Jus Mr. Justice Field.

David B. Harrell vs. Appellant
56. Elisha H. Beall, Assignee of William S. Jarrell.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of Georgia, and was argued by counsel
On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Dissenting: (Mr. Jus. Davis) } per Mr. Justice Miller.

Isaac C. Dunbose, Charles Walsh, John Bragg & Moses Waring.
vs. Appellants
107 Meirs Walker.

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel—
On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

---

638. Alexander Caldwell vs. Appellant / The United States

On consideration of the motion for a rule on the judges of the Court of Claims requiring said Court to find additional facts in this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Clifford.

Mr. Justice Clifford announced to the Bar that the Court will adjourn over from Wednesday of this week until Monday next.

45. The United States vs. Appellants / The Heirs of G. Leonard, deceased

Mr. S. Jarvis of counsel for the appellees having suggested the death of Charlotte Hortense Lacoste one of the appellees in this cause; moved the Court for leave to enter the appearance of Ignatius Szymanski, universal legatee & legal

representative of the said Charlotte Hortense Lacoste, deceased, as one of the parties appellee in this cause. On consideration whereof, it is now here ordered by this Court that Ignatius Szymanski, universal legatee and legal representative of Charlotte Hortense Lacoste, deceased, as aforesaid, be entered and he is hereby made a party appellee in this cause with liberty to resist this appeal.

---

118. Joseph S. Winter vs. Plff. in Error
The U. S. ex rel John P. Southworth, Dist. Atty.

This cause was submitted to the consideration of the Court on the printed record by Mr. Geo. Taylor of counsel for the plaintiff in Error, and by Mr. Attorney General Williams for the defendant in Error.

---

658. Charles E. Phillips vs. Plff. in Error
Scott McGehee, Samuel H. Snowden, and Atwood Violet as McGehee, Snowden & Violet.

Mr. A. A. Hosmer of counsel for the defendants in error having filed and read in open Court the following certificate,

to wit:

"United States Circuit Court, Fifth Circuit, District of Louisiana
Clerk's Office, New Orleans Nov. 17th 1873.
I, Francis A. Woolfley, Clerk of said Court do hereby certify that in the case of McGehee, Snowden & Violet a commercial firm composed of Scott McGehee, Samuel H. Snowden, and Atwood Violet, vs. Charles E. Phillips, No. 6693 of the docket of said Court, Judgment was rendered on the 3d day of June 1873, and signed on the 7th day of June 1873, against the said Charles E. Phillips for the sum of Five thousand seven hundred & twenty dollars, ($5,720.) and that on the first day of

July, 1873, a writ of Error to the Supreme Court of the United States to operate as a supersedeas was allowed to the said Charles E. Phillips, returnable on the second Monday of October 1873.

Witness my hand and seal of said Court at the said City of New Orleans on the day, month, and year first above written and the 98th year of the Independence of the United States of America.

Seal

F. A. Woolfley
Clerk."

and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of Error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of Error to the Circuit Court of the

United States for the District of Louisiana be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice, the said writ of Error notwithstanding.

Per Mr. Justice Clifford

---

112. Thomas J. Burke vs. Plff. in Error / Louis Fregre et al.

This cause was argued by Mr. T. J. Durant of counsel for the defendants in Error. No counsel appearing for the plaintiff in Error.

---

112. Thomas J. Burke vs. Plff. in Error / Louis Fregre, and A. Millemberger.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel - and it appearing

to the Court that no assignment of errors has been filed by the plaintiff in Error as required by the 21st rule, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

---

115. Jeremiah M. Mason vs. Plff. in Error / John F. Moore d. b. n. — This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. E.B. Smith of counsel for the Plff. in error; & leave granted counsel for defendant in Error to file briefs by Saturday next.

---

116. Philip G. Galpin vs. Plff. in Error / Lucy S. Page. — The argument of this cause was commenced by Mr. P.G. Galpin of counsel for the Plff. in Error & continued by Mr. John D. McPherson of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November 25th, 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present:

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. M. Hawley it is ordered that Franklin Denison, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Christopher Ingle, it is

ordered that Bainbridge H. Webb, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

116 Philip G. Galpin vs. Plff. in Error / Lucy S. Page

The argument of this cause was continued by Mr. J. M. Carlisle of counsel for the defendant in error and concluded by Mr. Philip G. Galpin of counsel for the plaintiff in Error.

---

117 Joseph Mulhall vs. Plff. in Errors / Wilson T. Keenan et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Krum of counsel for the defendants in error; leave granted counsel for the plaintiff in error to file briefs.

---

577. The Chicago City Railway Company vs. Appellants
Henry R. Allerton

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles Hitchcock of counsel for the appellants, and by Mr. E. A. Storrs, for the appellee, under the 20th Rule.

---

600. Samuel Atlee vs. Appellant
The Northwestern Union Packet Co.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. George H. McCrary of counsel for the appellant, and by Mr. H. Scott Howell for the appellee, under the 20th Rule.

Tuesday, November 25th 1873, Continued.

119.	Mary A. Paul et al. Pffs. in Error vs. David L. Shoemaker and	The argument of these cases was commenced by Mr. W. D. Davidge, of counsel for the plaintiffs in Error and continued by Mr. R. T. Merrick of counsel for the defendant in Error.
120.	Mary A. Paul et al. Pffs. in Error vs. David L. Shoemaker.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 26th 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

---

119. Mary A. Paul et al. vs. Plffs. in Error David L. Shoemaker

and

120. Mary A. Paul et al. vs. Plffs. in Error David L. Shoemaker

The argument of these cases was continued by Mr. J. N. Bradley Jr., of counsel for the defendant in error, and concluded by Mr W. D. Davidge, of counsel for the Plaintiffs in Error

---

Wednesday, November 26th 1873. Continued.

William T. Fraser
123. vs. Plff. in Error
The Propeller "Ivenona" &c.

(Substituted for No. 121.)
The argument of this cause was commenced by Mr. John Ganson of counsel for the plaintiff in error, continued by Mr. Geo. B. Hibbard of counsel for the defendants in error, and concluded by Mr. Ganson for the plaintiff in Error.

Richard C. Kimball et al.
122. vs. Plffs. in Error
William F. Evans et al.

Ordered by the Court that this cause be, and the same is hereby, continued to the next term.

J. P. & Robt. Willett, Ex'cors &c.
121. vs. Appellants
John Fister.

The argument of this cause was commenced by Mr. R. Tindall of counsel for the plffs. in Error, continued by Mr. B. H. Webb & Mr. C. Ingle of counsel for the defendant in error, and by Mr. T. J. Durant for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 1st 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford.
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. C. K. Curtis, it is ordered that R. E. Rombauer, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Carroll Brent, Surviving Executor of Norah Diggs, deceased.		In Error to the Supreme Court of the District of Columbia.
104.	vs. Pff. in Error	
The State of Maryland for the use of A. M. Warfield & S. E. his wife, Overton & Boteler, & J. S. Boteler by his next friend Susan Boteler.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Justice Hunt.

The Batesville Institute & N. J. Erwin, Administrator of Thomas Cox, deceased.	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.
114. vs. Appellants.	
Max Kauffman, L. Kauffman, & C. Hirsch, as Max Kaufman & Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs. per Mr. justice Hunt.

Robert A. Lucas	In Error to the District Court of the United States for the District of West Virginia.
84. vs. Plff. in Error	
Peter C. Brooks, junior.	

This cause came on to be heard on the transcript of the record from the District Court of

the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong.

The Manhattan Life Insurance Company, Plff in Error, vs. Dolores Francisco. 108

In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid

at the same rate per annum that similar judgments bear in the Courts of the State of California.

per Mr Justice Strong.

Ex parte The United States, Petitioners. | On consideration of the return to the Alternative

No. Original..

In the matter of Alexander J. Mochas administratrix.

writ of mandamus heretofore issued in this cause to the Judges of the Court of Claims, with the petition for said writ, and the motion of the Attorney General of the United States for a peremptory writ of mandamus; and of the arguments of Counsel thereupon had, as well in support of, as against the same, it is the judgment of this Court that the return of the Judges of the Court of Claims to the alternative writ, is sufficient in law to justify the said Court of

Claims in disallowing an appeal from its decision to this court, it is therefore ordered that the motion for a peremptory writ of mandamus, be, and the same is hereby denied.

Per Mr Justice Field

Eugene Lasere
vs. Pff in Error,
Eugene Rochereau
Albin Rochereau
William T Kepp,
Mrs C. Bullitt,
A. Dolphin, and
C Bullitt

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme

Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Wayne.

---

118. Joseph S. Hunter vs. Pltff in Error, The United States, ex rel J. P. Southworth U. S. Attorney. — | In Error to the District Court of the United States for the Middle District of Alabama. —

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and it appearing to the Court that there has been no assignment of Errors or brief filed in this cause, as required by the rules, it is now

now ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

---

172 The United States, on the relation of Lewis Bros & Co. vs. Piff in Error. William A. Richardson substituted for Geo. S. Boutwell Secretary of the Treasury

On consideration of the motion of Mr Assistant Attorney General

Will to rescind the order entered by this court, on the 11th. of November, substituting William A Richardson, the present Secretary of the Treasury as defendant in error in this cause, in the place of George S Boutwell the former Secretary: and of the argument of counsel thereupon had as well in support of, as against the same, and it appearing to the court that said order of substitution was improvidently entered: it is now here ordered by

the court that the same be, and hereby is rescinded and annulled.

per Mr Justice Clifford.

109. Samuel G. Wheeler Jr vs. George Harris, William Harris, & Andrew J. Howell. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of counsel for the respective parties on file, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr Justice Clifford

172	The United States, on the relation of Lewis Bro.s & Co. vs. Riff in Error. George S. Boutwell, Secretary of the Treasury,	Mr R. M Corwine of counsel for the plaintiff in error

filed motion to substitute William A. Richardson, the present Secretary of the Treasury, as defendant in error in this cause in the place of George S. Boutwell the former Secretary.

052	John K. Bullard, trustee &c. vs. The National Eagle Bank, Plaintiff	This cause was sub-

mitted to the consideration of the Court on the record & printed arguments by Mr B. K Curtis of counsel for the plaintiff, and by Mr C. S Goodrich for the defendants under the 20th rule.

Jas P. Wall R. Hallett Exrs &c
121. vs. Appellants.
John Fisher.

The argument of this cause

was concluded by Mr T. J. Durant of Counsel for the appellants.

Spencer Trask
106 vs Appellant
Constantine Maguire

This cause

was argued by Mr B R. Curtis of Counsel for the appellant and by Mr R. E. Rombauer for the appellee

The First National Bank of Clarion
124. vs. Pff in Error.
J. B Jones, Assignee &c.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

Monday December 1. 1823 Continued

125.	William Hailes et al vs. Jasper Van Wormer et al.	Appellants.

The argument of this cause was commenced by Mr E. J. Bennett of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Tuesday December 2nd 1873

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that Daniel L. Thorey Esquire of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr W. W. Wilshire it is ordered that James S. Robinson Esquire of Fort Smith State of Arkansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Steamboat Alida &c. and The Hudson River St Boat Company Claimant. Appellant.
vs.
The Security Insurance Co.

163. Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and on the motion of Mr C. McKeller in behalf of the respective counsel and stipulation on file stating that the matters in controversy in this cause have been

agreed and settled between the parties it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

---

125 William Hailes et al. vs. Jasper Van Horn et al. Appellants.

The argument of this cause was continued by Mr E. J. Bennett of counsel for the appellants, by Mr C. M. Keller of counsel for the appellees, and concluded by Mr Bennett for the appellants.

---

126 Solomon G. Kitchen vs. Jno. C. Rayburn et al. Appellant.

The argument of this cause was commenced by Mr J. D. McPherson of counsel for the appellant, continued by Mr M. Blair of counsel for the appellees & concluded by Mr McPherson for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 3rd 1873

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Caleb Cushing, it is ordered that D. S. Henderson Esquire of Dubuque State of Iowa and Edward Mackinley Esquire of New York City be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly

---

On motion first made to the Court in this behalf by Mr D. L. Shorey, it is ordered that Julius Rosenthal Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

126. Solomon G. Kitchen vs. Appellant
Wm. C. Reyburn et al. | On motion of Mr McBlair leave is hereby granted Mr T. F. Gantt to file brief in this cause.

---

576. Charles B. Sawyer vs. Appellant
T. C. Hoag, assignee &c. | This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr Daniel L. Shorey, and Mr Charles Hitchcock, of Counsel for the appellant, and by Mr J. N. Jewell for the appellee under the 20th rule.

Wednesday December 3rd A.D. 1873

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon Caleb Cushing, it is ordered that L. S. Henderson Esquire of Dubuque State of Iowa and Edward Mackinley Esquire of New York City be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly

---

On motion first made to the Court in this behalf by Mr D. L. Shorey it is ordered that Julius Rosenthal Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

126. Solomon G. Kitchen vs Appellant
H. C. Reyburn et al.

On motion of Mr McBlair leave is hereby granted Mr T. F. Gault to file brief in this cause.

---

576. Charles B. Sawyer vs appellant
T. C Hoag, assignee &c.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr Daniel L. Shorey, and Mr Charles Hitchcock, of Counsel for the appellant, and by Mr J. N. Jewell for the appellee under the 20th Rule.

The Nashville & Chattanooga Railroad Company vs. John C. Orr.	This cause was argued by Mr R.T. Merrick,

of counsel for the appellant. No counsel appearing for the appellee.

H.B. Sikes vs Piff in Err. The United States	Ordered by the Court that this cause be and the same is hereby passed for the present.

James Sykes vs Piff in Error E.H. Chadwick	The argument of this cause was commenced by Mr W.F. Mattingly of counsel for the plaintiff in Error, continued by Mr James Miller and Mr C.M. Hawley of counsel for the defendant in error & by Mr R.T. Merrick for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Thursday December 4. 1873

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Samuel Tenney Waddell Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Phillips it is ordered that George Ticknor Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that George S Ide Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Max A. Meyer
380 vs. Appellant
Wm Locke assignee.

This cause was submitted to the consideration of the Court on the Record and printed arguments by Mr M. F. Fuller and Mr Charles Hitchcock of counsel for the appellant and by Mr Julius Rosenthal and Mr J. M. Rice for the appellee under the 20th rule.

James Sykes.
129 vs Writ in Error.
E. M Chadwick

The argument of this cause was concluded by Mr R. T. Merrick of counsel for the plaintiff in error.

Andrew J. Bean vs. D. N. Beckwith et al.	This cause was argued by Mr E. J. Phelps of Counsel for the

67.

plaintiff, and by Mr Solicitor General Phillips for the defendants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 5 1872

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

Peter H. Hendley Esquire Marshal
Daniel Wiley Middleton Clerk

Proclamation being made the Court is opened.

The Steamboat "Alida" for Expense &c
vs
The Peverly Insurance Co

On motion of Mr. F. Phillips on behalf of the Respondents counsel leave is hereby granted the Clerk to issue the mandate in this cause.

---

112 Thomas J Burke
vs
Jeff in Error
Error Dispr. A. at

Mr K Rather
on behalf of
the plaintiff
in Error moved
the Court to set aside and vacate
the judgment of affirmance
and on this cause on the 21st day
of November last and for leave to
argue the case Whereupon the
Court not being now fully
orally advised of and concerning
what order to make on the pre-
mises took time to consider

---

61 Lewis M Starr
vs
Jeff in Error.
Benjamin Stark
and
Chas P Bacon et al
62 vs Jeffs. in Error
Benjamin Stark

Motion of
Mr
on behalf of Mr
Hanson and
Consent of Mr
Williamson leave
is hereby granted.
the Clerk to w
sue the mandates in these cases.

Friday December 5th 1873

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Steamboat "Ida" her Engines &c.
vs. Appellants.
The Security Insurance Co.
103

On motion of Mr P. Phillips in behalf of the respective counsel leave is hereby granted the Clerk to issue the mandate in this cause.

112.	Thomas J. Burke vs Piff in Error. Louis Fregre et al.	Mr F. Hall in behalf of the plaintiff in Error moved

the Court to set aside and vacate the judgment of affirmance entered in this cause on the 24th day of November last and for leave to argue the case. Whereupon this Court not being now fully advised of, and concurring what order to render in the premises took time to consider.

61.	Lewis M Starr vs Piff in Error. Benjamin Stark, and	On motion of Mr in behalf of Mr J. Halsey and Consent of Mr Williams, leave
62	Chas P Bacon et al vs Piffs in Error. Benjamin Stark	is hereby granted the Clerk to is-

sue the mandates in these cases.

038.	Charles C. Phillips et. al. Piff in Error. Scott McGhee et al.	Mr Joseph Casey of Counsel for the plaintiff in error moved the Court

to set aside and annul the judgment entered in this cause on the 24th day of November last docketing and dismissing this writ of error, and for leave to file the record & docket the case, which was opposed by Mr A. A. Hosmer of counsel for the defendants in error, on the ground that he desired time to consult with his clients: It is therefore ordered by the Court that said motion be, and the same is hereby postponed, & set for argument on the first Friday in January next, when the Court may be in session.

155.	Louisa C. Medway Appellant vs The United States.	On motion of Mr T. Wilson leave is hereby granted the Clerk to issue the mandate in this cause.

---

337 The United States vs The Bank Maitland &c. | Appellant

On motion of Mr Breckinridge Attorney General Hill, leave is hereby granted the Clerk to issue the mandate in this cause

---

339 Harvey Jerry vs The President &c of the Bank of Howardsville. Dft Harbour et al | Appellant

Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and on the motion of Mr Conway Robinson and stipulation of counsel on file stating that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered adjudged

Charles C. Phillips
138. vs. Pff in Error.
Scott McGhee et al.

Mr Joseph Casey of Counsel for the plaintiff in error moved the Court to set aside and annul the judgment entered in this cause on the 2nd day of November last docketing and dismissing this writ of error, and for leave to file the record & docket the case, which was opposed by Mr A. A. Hassner of counsel for the defendants in error, on the ground that he desired time to consult with his clients: it is therefore ordered by the Court that said motion be, and the same is hereby postponed, & set for argument on the first Friday in January next, when the Court may be in session.

Louisa C. Medway
155. vs Appellant
The United States.

On motion of Mr T. Wilson leave is hereby granted the Clerk to issue the mandate in this cause.

---

337 The United States vs The Bank Maitland &c. Appellant | On motion of Mr Ashton Attorney General Hill, leave is hereby granted the Clerk to issue the mandate in this cause

339 Harvey Terry vs. The President &c of the Bank of Howardsville. Appellant | Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and on the motion of Mr Conway Robinson and stipulation of counsel on file stating that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered adjudged

and decreed by this court that this appeal be and the same is hereby dismissed with costs

per Mr Justice Clifford

---

527 The United States vs. David G. Farragut admiral &c. et al. Appellants.

Mr Assistant Attorney General Hill filed stipulation and moved the Court to dismiss this appeal so far as the same relates to the following described vessels and properly set forth in said stipulation, viz:

The "Diana" The "Tennessee"
"Ceres" "McRae"
"Iberville" Five vessels of war in construction on docks, and nine thousand tons of coal."

and that said appeal remain in full force and effect, so far as the same relates to the following named vessels to wit,

The "Metropolis" The "Milan"
"C. A. Farwell" "Ocean Eagle"
"George Alban"

The "St Charles"	The "Calhoun"
" "Sallie Robinson"	" "Hyperine"
" "Burton"	" "St. Maurice"
" "Sandis"	" "Morning Light"
" "Lewis Whitman"	" "Laurel Hill"
" "Anglo Saxon"	" "J. M. Brown"
" "Time and Tide"	" "Fanny Natchez"
" "Louisiana Belle"	" "Brown Cloud"
" "Empire Parish"	" "Barrataria"
" "Creole	

Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States on the relation of Lewis Bro & Co. -vs- Pltffs in Error
George S. Boutwell Secretary of the Treasury

The argument of the motion to substitute William A. Richardson the present Secretary of the Treasury as defendant in error in this cause for George S Boutwell the former Secretary, was commenced

and decreed by this court that this appeal be and the same is hereby dismissed with costs

per Mr Justice Clifford

---

527 The United States vs Appellants. David G Farragut admiral &c. et al

Mr Assistant Attorney General Hill filed stipulation and moved the Court to dismiss this appeal so far as the same relates to the following described vessels and property set forth in said stipulation, viz:

The "Diana" The "Tennessee"
"Ceres" "McRae"
"Iberville" Five vessels of war in construction on docks, and sixteen thousand tons of coal."

and that said appeal remain in full force and effect, so far as the same relates to the following named vessels to wit,

The Metropolis The "Milan"
"C. A Terwilt" "Ocean Eagle"
"George Alban"

The "St Charles"	The "Calhoun"
" "Sallie Robinson"	" "Algerine"
" "Burton"	" "St. Maurice"
" "Sands"	" "Morning Light"
" "Lewis Whitman"	" "Laurel Hill"
" "Anglo Saxon"	" "J. M. Brown"
" "Time and Tide"	" "Fanny Natchez"
" "Louisiana Belle"	" "Brown Cloud"
" "Empire Parish"	" "Barrataria"
" "Creole"	

Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States on the relation of Lewis Bro & Co. vs. Pfts in Error
"12 George S. Boutwell Secretary of the Treasury

The argument of the motion to substitute William A. Richardson the present Secretary of the Treasury as defendant in error in this cause for George S. Boutwell the former Secretary, was commenced

by Mr R. M. Corwine in support thereof continued by Mr Assistant Attorney General Hill in opposition thereto, and concluded by Mr Corwine in favor of the motion, Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to Consider.

---

303 Tomas de la Vega vs John F. Sapsay et al

The motion for a rule on the Clerk of the Circuit Court of the United States for the Western District of Texas requiring him to show cause why he does not make proper return to the writ of certiorari heretofore issued in this cause, and the motion to strike from the files of this Court the papers in the cause, was argued by Mr P. J. Durant in support of the motion for the rule, and

by Mr P. Phillips in opposition thereto: and by Mr P. Phillips in support of the motion to strike from the files, and by Mr T. J. Durant in opposition thereto. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

---

140 of os. 3 L. ed. 671

The United States Appellants, vs. The Heirs of Juan Bautista Vigil dcsd

Mr J. S. Wells of counsel for the appellants moved the Court for an order directing the original title papers used on the trial of this cause, to be returned to the Supreme Court of New Mexico. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Washington University of Missouri.
105 vs Plaintiff in Error
Geo B Fenick assignee.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr J M. Krum of Counsel for the plaintiff in error, and by Mr W. H. Leleher, for the defendant in error.

Ferdinand Jaeger
379 vs Plaintiff in Error
Wm Tooke assignee
of Germania Insurance Co. a bankrupt.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr M W. Fuller, & Mr Charles Hitchcock, of Counsel for the plaintiff in error, and by Mr Julius Rosenthal, and Mr A. M. Pence for the defendant in error.

30	The United States vs Thomas N. Buzzo.	Plaintiff.	This cause was argued by Mr S. R. Curtis & submitted on printed argument by Mr J. K. Hilton of Counsel for the defendant and also submitted on printed argument by Mr Solicitor General Phillips of Counsel for the plaintiff.

33	The Ship "Sapphire" &c. vs Napoleon III Emperor of the French.	Appellants.	(Substituted for No 131,) This cause was argued by Mr C. P. Goodrich of Counsel for the appellants, and by Mr C. Cushing of Counsel for the appellee

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 8th 1873

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on his behalf by Mr N. W. Melshire it is ordered that M. L. Bell Esquire of Pine Bluff State of Arkansas, be, admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

30. Zerubbabel Snow vs Piff in Error. The United States ex rel Chas. H. Hempstead U.S. Attorney. -- | In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter judgment in conformity with the opinion of this court.

per Mr Justice Bradley.

	George H Rea and Edward D. Jones	In error to the Circuit Court of the United States for the Districts of Missouri.
83	vs Pltffs. in Error.	
	The State of Missouri ex rel, and to the use of William Hayes.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri with directions to award a venire facias de novo.

Dissenting Mr Justice Clifford. per Mr Jus Bradley.

101. The Ship "Star of Hope"
S. G. Reed claimant.
vs. Appellant.
Andrew J. Church et al
Seymour B Clark

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of California.

per Mr Justice Bradley

George H Rea and Edward D. Jones
83 vs Pltffs in Error
The State of Missouri ex rel, and to the use of William Hayes.

In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri with directions to award a venire facias de novo.

Dissenting per Mr Jus Bradley.
Mr Justice Clifford.

Monday December 8th 1873 continued.

101. The Ship "Star of Hope" S. J. Reed, claimant. vs. Andrew J. Church and Seymour B Clark, Appellants. | Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of California.

per Mr Justice Bradley

George H Rea and Edward D. Jones vs Piffs in Error. The State of Missouri ex rel, and to the use of William Kruger.	In error to the Circuit Court of the United States for the District of Missouri.

83

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri with directions to award a venire facias de novo.

Dissenting per Mr Jus Bradley.
Mr Justice Clifford.

101. The Ship "Mary Hope" S. J. Reed, Claimant. vs. Andrew J. Church et al Seymour B Clark

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of California.

per Mr Justice Bradley

110. Jefferson Pacey Plff in Error vs. Mary Irwin, Hannah Irwin, Ruth Irwin Grace Irwin, Rebecca Irwin, and Edith Duncanberry.. | In Error to the Circuit Court of the United States for the Eastern District of Virginia..

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.. per Mr Justice Daris..

The Northwestern Union Packet Company. -
71. vs. Pltff in Error.
Mary McCue, administratrix of the Estate of Patrick McCue, deceased. -

In Error to the Circuit Court of the United States for the Eastern

District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin. per Mr Jus. Davis.

The Amoskeag Manufacturing Company
vs. Appellant.
The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to render a judgment for the claimant for such damages as they may ascertain, that the claimant has sustained by reason of the refusal of the United States to accept and pay for the six thousand carbines.

per Mr Justice Miller

Mary A. Paul Caroline E. Smith & Mary F. Smith
114 vs. Plaintiffs in Error.
David L. Shoemaker. | In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a new trial.

per Mr Justice Miller.

	Mary Ann Paul, Caroline S. Smith & Mary F. Smith Plffs in Error.	In Error to the Supreme Court of the
120	vs.	
	David L. Shoemaker.	

District of Columbia -

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a new trial.

per Mr Justice Miller.

85 James Adams. | Appeal from
vs. Appellant | the Circuit
Aspheus W. Burks. | Court of the
United States
for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

Dissenting
Mr Justice Bradley
" " Swayne
" " Strong.

The Chicago & Northwestern Railway Company.. Plaintiff in Error. vs. Dennis Fuller

In Error to the Supreme Court of the State of Iowa..

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Swayne.

Jeremiah McMason Plff in Error. vs. John F. Moore administrator de bonis non of Ira Moore deceased

In Error to the Supreme Judicial Court of the State of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, the Court being Equally divided in opinion that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maine.

Samuel Allen	Appeal from the Cir
000. vs. Appellant	cuit Court of the
The Northwestern	United States for
Union Packet Co.	the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Iowa and was argued by counsel. On Consideration whereof, the Court being equally divided in opinion it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of Iowa.

Thomas J. Burke
112 vs. Piff in Error
Louis Feigre et als

On consideration of the motion to set aside & vacate the judgment of affirmance entered in this cause, ... day of November last, and for leave to argue the case, it is now here ordered by the Court that said motion be, and the same is hereby granted; the case to stand the same as if passed.—

40 of 71. The United States vs Appellants. The Heirs of Juan Bautista Vigil.

On consideration of the motion of Mr. J. S. Watts, it is now here ordered by this Court that the Clerk be, and he is hereby directed to return the original title papers used on the trial and filed as exhibits in this cause, to the Supreme Court of the Territory of New Mexico.

William A. Cook vs. Appellant, J. Robinson et al.

On consideration of the motion to docket and dismiss this appeal, it is now here ordered by the Court, that said motion be, and the same is hereby denied as the transcript was received before the motion was considered.

And it is further ordered that the appellant, have leave to enter the case upon payment of costs

v. the motion to dismiss, which the majority of the Court decide is an attorney fee of twenty dollars.

per Mr Justice Clifford.

---

302 Tomas de la Vega. Appellant. | John St Lapsley, Wesley Hallenburg, Thomas J Brown Esq. Appellees.

On consideration of the motion for a rule on the Clerk of the Circuit Court of the United States for the Western District of Texas, requiring him to show cause why he does not make proper return to the writ of certiorari heretofore issued in this cause; and of the argument of Counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Clifford.

---

302. Tomas de la Vega
vs.
John H. Lapsley.
Wesley Hallenburg,
Thomas J. Rowsdal.

} Appeal from the Circuit Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on the motion of Mr P. Phillips to strike the papers in this cause from the files of the court. On consideration whereof, it is now here ordered adjudged & decreed by this court that the transcript purporting to be the record in this cause, be, and the same is hereby stricken from the files of this court.

per Mr Justice Clifford.

527. The United States. Appellant. vs. David G. Farragut and wife &c. et al. — Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and in pursuance of a stipulation signed and filed by counsel, and on motion of Mr Assistant Attorney General Hill it is now here ordered adjudged and decreed by this Court that the appeal from the decree of the said Supreme Court of the District of Columbia, entered in this cause on the seventh day of June A. D. 1873, be, and the same is hereby dismissed, so far as the same relates to the following named vessels and property described in said decree, to wit: The "Kinsman" The "Tennessee" The "Iberville" "Ceres" "McRae"

Five vessels of war on construction on docks and sixteen thousand tons of coal.

And it is further ordered that the appeal from said decree remain in full force and effect so far as the same relates to the following named cases to wit

The Metropolis	The Louisiana Belle
" "C. A. Farwell"	" "Empire Parish"
" "Nelson"	"Creole"
" "Ocean Eagle"	" "Calhoun"
" "Geo. Alban"	" "Algerine"
"St Charles"	" St Maurice"
" "Sallie Robinson"	" "Morning Light"
" "Burton"	" "Laurel Hill"
" "Landis"	" "J. M. Brown"
" "Lewis Wiltman"	" "Kinney Natchez"
" "Anglo Saxon"	" "Brown Cloud"
" "Time and Tide"	" "Barrataria"

per Mr Justice Clifford.

Turning Bro's & Co.
153 vs. Pff's. in Error
Dubney Morgan & Co.

Mr P. Phillips moved the Court to postpone this Cause, when reached which was opposed by Mr W. H. Boyce. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Western Union
Telegraph Company.
605 vs. Pff in Error.
Charles Esser. -

Mr J. H. Ashton filed motion for a writ of Supersedeas in this cause.

The Bank of the Empire State.
132 vs. Pff in Error.
Edwin Parsons.

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Monday December 8th 1873 Continued.

131. J. M. Henshaw et al vs. Plffs in Error. George R. Bissell

The argument of this cause was commenced by Mr R. McCormic of counsel for the plaintiffs in error, and continued by Mr McClair of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

---

Tuesday December 9. 1873.

Pursuant to adjournment the Court met to day at the Capitol -

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John F. McCeary Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. W. Boyce, it is ordered that J. H. Hayne Esquire of Charleston State of South Carolina be admitted to practice as an attorney and counsellor of this court, & he was sworn accordingly. -

---

On motion first made to the Court in this behalf by Hon Matt H. Carpenter, it is ordered that H. D. Greene Esquire of Springfield State of Illinois be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

53.	Baring Bros & Co vs Peffs in Error Dabney Morgan & Co.	The motion of Mr J. Phillips to postpone this cause when reached in the regular call was further postponed by Mr J. H. Hagner of Counsel for the plaintiffs in error. On consideration whereof it is now here ordered by the Court that said motion be, and the same is hereby denied.

Tuesday December 9. 1873.

Pursuant to adjournment the Court met to day at the Capitol -

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

Jos. H. Nicolay Esquire Marshal.
Daniel Henley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. W. Boyce, it is ordered that J. T. Hayne Esquire of Charleston State of South Carolina be admitted to practice as an attorney and Counsellor of this Court, & he was sworn accordingly. -

---

On motion first made to the Court in this behalf by Hon Mull H. Carpenter, it is ordered that H. D. Greene Esquire of Springfield State of Illinois be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

53.	Barney Bros & Co vs Peffs in Error Dabney Morgan & Co.	The motion of Mr J. Phillips to postpone this cause when reached in the regular call was further postponed by Mr J. H. Hagne of Counsel for the plaintiffs in error. On consideration whereof it is now here ordered by the Court that said motion be, and the same is hereby denied.

The State of Florida (as Complainant) Ed. C. Anderson Jr. et al.	On motion of Mr. M. H. Carpenter leave is

hereby granted him to file Bill and motion for an injunction in this cause. Motion for injunction and Subpoena to be heard on some future day, on notice given to the opposite party.

Ex parte Helen C. Key. Petitioner	On motion of Mr T. M. Varley leave

is hereby granted him to file motion for leave to file petition for Mandamus in this cause

---

J. M. Henshaw et al. vs Plffs in Error. George R. Bissell.	The argument of this cause was continued

131 by Mr M. Blair of counsel for the Defendants in Error, Concluded by Mr R. M. Corwin of Counsel for the Plffs in Error.

---

134 John W. Schw vs. Pfff in Error. Thomas W. Waterson impleaded with W. A. Callender et al

The argument of this cause was commenced by Mr J. B. Sanborn of Counsel for the plaintiff in Error, and continued by Mr Thomas Ewing of Counsel for the defendant in error, but was stopped by the Court, No further argument being necessary.

---

135 The Board of Supervisors of Iowa County. vs. Pfff in Error. The U. S. ex rel Julius G. Jerome

Ordered by the Court that this Cause be passed until the expiration of the 60 days allowed by rule 30. to submit. otherwise the cause to stand continued.

---

156. The United States vs Plaintiff. John Irwin. | Ordered by the Court that this cause be passed on account of sickness of Counsel.

---

137 Michael O'Dowd vs. Pltff in Error Henry F. Russell Mayor &c. | On the application of Mr P. Phillips Cause is hereby granted him to withdraw his appearance for the plaintiff in error in this cause.

---

137 Michael O'Dowd vs. Pltff in Error H. F. Russell Mayor &c. | Ordered by the Court that this cause be, and the same is hereby Continued to the next term.

---

138. Philip Hicks vs. George Kelsey. Appellant. | This cause was argued by Mr J. A. Goodwin of Counsel for the appellant, - No counsel appearing for the appellee.

---

139. James Hornbuckle et al. vs. John Toombs. - Plffs. in Error. | This cause was argued by Mr Robert Leach of Counsel for the plaintiff in error, and by Mr. M Blair for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday December 10. 1873.

Pursuant to adjournment the Court met this day at the Capitol.-

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John F. Meloy Esquire Marshal.
Daniel Delos Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by M. B. D. Gillman, it is ordered that Henry T. Black Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

---

478	Moses H. Gray vs. Appellant. H. E. Rollo. Appellee	This cause was submitted to the consideration

of the Court on the record and printed arguments by Mr Jas. Norton of counsel for the appellant, and by Mr H. M. Pence for the appellee under the 30th Rule.

140	The Steamship "Rhonda" her tackle &c. vs. Appellants. The Union Ferry Company of Brooklyn.	The argument of this cause was commenced by Mr

R. D. Benedict, of counsel for the appellant, continued by Mr S. D. Tillman of counsel for the appellee, and concluded by Mr Benedict for the appellant.

Wednesday December 10th 1873. Continued

1111	Andrew J. Davis et al. Plff in Error, John Gibbland.	The argument of this cause was commenced by Mr Robert Leech of counsel for the plaintiff in error, continued by Mr J. H. Ashton of counsel for the defendant in error, and concluded by Mr E Totten for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 11. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Tenley Middleton Clerk

Proclamation being made the Court is opened.

---

156 Augustus J. Ameler vs. Rodney M. Whipple et al. Appellant. | On motion of Mr R D Mussey and Consent of Counsel it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.-

---

1111 Andrew J. Davis vs. Fitz in Error. John Bilslund.

The argument of this cause was commenced by Mr Robert Leech of counsel for the plaintiff in error, continued by Mr J. H. Ashton of counsel for the defendant in error, and concluded by Mr E Totten for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Thursday December 11. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Tuohey Middleton Clerk

Proclamation being made the Court is opened.

	Augustus J. Amoles		On motion
156	vs.	Appellant.	of Mr R
	Rodney M. Whipple dal.		D. Murray
			and Consent

of Counsel it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.-

---

112	George A. Kibbie vs. Appellant Pleasant C. Benson.	Ordered that leave be, and the same is hereby granted the

Counsel for appellant to file brief in two weeks from this date, and that the Counsel for appellee be furnished with a copy within that time - The same period of time allowed appellees Counsel to file reply brief.-

112	George A. Kibbie vs. Appellant Pleasant C. Benson.	This cause was argued by Mr H. S. Greene of

Counsel for the appellee.-

113	John Jones et al. vs. Piffs. in Error. The United States.	Ordered by the Court that this cause be, and the same is

hereby passed for the present. On account of sickness of Counsel.-

1144 The United States Appl. vs Duncan & Kennard.
1145 " " " " " Heirs of J. Leonard
1146 " " " " " F. Denison et al
1147 " " " " " Caleb Cushing.

The argument of these cases was commenced by Mr Assistant Attorney General Hall of counsel for the appellants continued by Mr S. Jarvis and Mr C. Cushing of counsel for the appellees, and concluded by Mr Hall for the appellants.

1148 Sarah E. Webster vs Plff in Error, C. M. H. Griffin et al. and
1149 Sarah J. Spencer vs Plff in Error. Thomas Martin et al.

Ordered by the Court that these cases be, and the same are hereby passed for the present - On account of sickness of counsel.

1112	George A. Kibbie vs. Appellant Pleasant C. Benson.	Ordered that leave be, and the same is hereby granted the counsel for appellant to file brief in two weeks from this date, and that the counsel for appellee be furnished with a copy within that time - The same period of time allowed appellees counsel to file reply brief.-

1112	George A. Kibbie vs Appellant Pleasant C. Benson.	This cause was argued by Mr H. S. Greene of

Counsel for the appellee.-

1113	John Jones et al. vs. Piffs. in Error. The United States.	Ordered by the court that this cause be, and the same is

being passed for the present. on account of sickness of Counsel.-

1144 The United States Appts. vs. Duncan F. Kennedy.
1145 " " " " " Heirs of J. Leonard
1146 " " " " " F. Penniston et al.
1147 " " " " " Caleb Cushing.

The argument of these cases was commenced by Mr Assistant Attorney General Hill of counsel for the appellants continued by Mr S. Jamin and Mr C. Cushing of counsel for the appellees, and concluded by Mr Hill for the appellants.

1148 Sarah E. Thilston vs Pltff in Error, C. H. H. Griffin et al. and Sarah J. Spencer vs. Pltff in Error. 1149 Thomas Martin et al.

Ordered by the Court that these cases be, and the same are hereby passed for the present - On account of sickness of counsel.

Mary E. Ross, administratrix of Meshach Ross deceased.	Appeal from the Court of Claims.
150 vs. Appelland.	
The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion and consent of Mr Upshaw Attorney General. It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment for the Claimant for the sum of thirty-four thousand, three hundred and sixty seven dollars, and ninety-eight cents, being the amount of the mill proceeds of the cotton found by the said Court to have been

paid into the Treasury.

for Mr Justice Clifford

	Francis R. Fogg Exr. et al.	This cause
152.	vs.	was sub-
	The Mayor &c. of Nashville.	mitted
		to the

Consideration of the Court on the record and printed argu ments by Mr R. J. Meigs of coun sel for the plaintiffs in error, and by Mr D. F. Wilkins for the defendants in error.

Proclamation being made the Court is adjourned until to mor row at twelve o'clock.

Friday December 12. 1873.

Pursuant to adjournment the Court met to day at the Capitol.-

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. C. Ingersoll, it is ordered that Thomas M. Shaw Esquire of Lacon State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

---

On motion first made to the Court in this behalf by Honorable Horace Raymond, it is ordered that Hon J. M. Thornburgh of Knoxville State of Tennessee be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that Honorable Henry J. Scudder of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

---

150 Mary E. Ross admr &c. Appellant. vs. The United States. | On motion of Mr J. M. Carlisle, leave is hereby granted the Clerk to issue the mandate in this cause.

R. A. Reed & Co.
116 vs. Piffs. in Error.
James Gardner

On motion of Mr W. W. Boyce leave is hereby granted the Clerk to issue the mandate in this cause.

The Amoskeag Manufacturing Company.
95 vs. Appellant
The United States.

On motion of Mr C. F. Peck, leave is hereby granted the Clerk to issue the mandate in this cause.

T. A. Richards, J. D.
for George D. Maynard
673 vs. Piffs in Error.
John D. Patterson.

Mr T. J. D. Fuller of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"United States Circuit Court
District of California -
Ninth Judicial Circuit.

John D. Patterson
v.
L. A. Richards et al.

I Lorenzo S. B. Sawyer Clerk of the Circuit Court of the United States for the District of California, in the Ninth judicial Circuit, do hereby certify that judgment was rendered and entered in the above entitled cause, on the 8th day of October A.D. 1872, and that writs of error and citation in said cause have been duly issued, on the 15th day of February A.D. 1873, duly sued out and allowed.

Witness my hand, and the seal of said Circuit Court, this December 1. A.D. 1873.

Seal

L. S. B. Sawyer, Clerk.
by J. F. O'Beirne
Dep. Clerk

Mr Fuller also filed the following stipulation, to wit:

"In above entitled cause

R. A. Reed & Co.
116 vs. Piffs. in Error.
James Gardner

On motion of Mr W. W. Boyce leave is hereby granted the Clerk to issue the mandate in this cause.

The Amoskeag Manufacturing Company.
95 vs. Appellant
The United States.

On motion of Mr C. F. Peck, leave is hereby granted the Clerk to issue the mandate in this cause.

T. A. Richards, J. D.
for Lorenzo D. Thompson
673 vs. Piffs. in Error.
John D. Fullerton.

Mr T. J. D. Fuller of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"United States Circuit Court
District of California -
Ninth Judicial Circuit.

John D. Patterson
v.
L. A. Richards et al.

I Lorenzo S. B. Sawyer Clerk of the Circuit Court of the United States for the District of California, in the Ninth judicial Circuit, do hereby certify that judgment was rendered and entered in the above entitled cause, on the 8th day of October A.D. 1873, and that writ of error and citation in said cause have been duly issued, on the 15th day of February A.D. 1873, duly signed and allowed.

Witness my hand, and the seal of said Circuit Court, this December 1. A.D. 1873.

Seal

L. S. B. Sawyer, Clerk.
by J. H. C. Boring
Dep. Clerk.

Mr Fuller also filed the following stipulation, to wit:

"In above entitled cause

it is hereby stipulated & agreed by and between the parties thereto, that the writ of Error therein be dismissed.

Chas. P. Bolls.
Atty for Plffs. in Error.
T. J. D. Fuller.
Atty for Defts. in Error.

July 25. 1873.

And having stated that the plaintiffs in error had altogether failed to file the record of said cause in this court or in anyway to prosecute said writ of error now here moved the Court in pursuance of the 9th rule of this Court to have this writ of Error docketed and dismissed - On consideration whereof it is now here ordered and adjudged by this court that this writ of Error to the Circuit Court of the United States for the District of California be and the same is hereby docketed & dismissed with Costs. And that this cause be, and the same is hereby remanded to the said Circuit Court

to be proceeded in, according to law and justice the said writ of error notwithstanding.

per Mr Justice Clifford.

---

674 Patrick Lynch, H. Nelson, J. H. Floyd, Thomas J. Valen, E. H. Stond & L. D. Wakefield vs. Plffs. in Error. John D. Patterson. } Mr. J. G. Swan of Counsel for the defendant in error having filed and read in open court the following certificate to wit:

"United States Circuit Court
District of California.
Ninth Judicial Circuit,

John D. Patterson
v.
Patrick Lynch et al.

I, Lorenzo S. Sawyer Clerk of the Circuit Court of the United States for the District of California, in the ninth Judicial

Circuit do hereby certify that judgment was rendered and entered in the above entitled cause, on the Eighth day of October A.D. 1872, and that writs of Error, & Citation in said cause, have been to wit, on the fifteenth day of February A.D. 1873, duly sued out & allowed.

Witness my hand and the seal of said Circuit Court this December 1st. A.D. 1873.

Seal

L. S. B. Sawyer Clerk.
by J. T. Perine Dep. Clk.

Mr Fuller also filed the following stipulation to wit.

In above entitled cause it is hereby stipulated & agreed by and between the parties hereto that the writ of error therein be dismissed.

Chs. T. Botts,
Atty for Pffs in Err.
T. J. S. Fuller
Atty for Defts in Error.

July 25. 1873.

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error now here moved the Court in pursuance of the 9th Rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the District of California be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.

per Mr Justice Clifford

John C Allen
vs Pltff in Error.
The First National
Bank of Xenia

Mr Rodney
Mason of Coun-
sel for the plain-
tiff in Error
moved the
Court to Reverse and annul
the judgment entered on the 10th
day of November last, decreeing
and dismissing this writ of
Error and for leave to file the
record and docket the cause:
Whereupon this Court not being
now fully sufficiently advised of
and concerning what order to
make in the premises took time
to consider.

Ex parte Helen C. Key.
Original - Petitioner.

The motion
of Mr T. W.
Bartley for
a rule on the Judges of the Court
of Claims requiring the said Court
to show cause why a writ of Man-
damus should not issue compell-
ing them to enter his name as

attorney of record was argued by him in support thereof: Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

603. Robert Graeme Exr &c vs. Patrick Cullen et al. | Writ of Error | Motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr Webb and Mr Lyon in support thereof, and by Mr C. Benson in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider..

The Western Union Telegraph Company.
665. vs. Pl'ff in Error.
Charles Eyser. —

The motion for a supersedeas in this cause was argued by Mr J. H. Ashton in support of the same, Whereupon this Court not being now fully advised of, and concerning what order to render in the premises took time to consider. —

Tomas de la Vega.
302. vs. Appellant.
John D. Lapeyette

The motion of Mr T. J. Durant for time to file a full and complete transcript of the record in this case was argued by him in support thereof, and by Mr D. Phillips in opposition thereto. Whereupon this Court not being now fully advised of, and Concerning what order to render in the premises took time to consider. —

---

555 The Baltimore and Potomac Railroad Co. vs. Peff. in Error. The Trustees of the Sixth Presbyterian Church.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr J. A. Garfield, and Mr R. D. Mussey in support of the same, and by Mr S. L. Phillips in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

555 The Baltimore and Potomac Railroad Co. vs. Peff in Error. The Trustees of the 6th Presbyterian Church.

On motion of Mr Garfield, leave is hereby granted him to file reply brief in this cause.

---

509. William Sloan
vs. Piff in Er.
John G. Lewis, assignee

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr A G Phillips in support of the same, and by Mr H N Guion in opposition thereto. Whereupon the Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

A & G Mittenberger
vs. Piffs in Error.
Elwin G. Cook

On motion of Mr O D Farrell in behalf of Mr George G Wright it is ordered that this cause be assigned for argument on the first day of the Court after the recess.

1439 David H. McKay vs. John B. Wooster & al. Appellant. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Nathaniel Bennett of counsel for the appellant and by Mr John Berry for the appellee under the 20th Rule.

---

463. The County of St Clair vs. John B. Lovingston & The Wiggins Ferry Co. Plff in Error. | This cause was submitted to the consideration of the court on the record & printed arguments by Mr J Koerner of counsel for the plaintiffs in error, and by Mr William H. Underwood for the defendant in error under the 20th rule.

	Saving Bros & Co et al-	This cause
133	vs	was argued
	Sipps in Error.	by Mr J. M.
	Sidney Morgan & Co.	Hayne of

counsel for the plaintiffs in error, and by Mr D. H. Chamberlain for the defendant in error.

Mr Justice Clifford announced to the bar that in cases where the records are not printed, and in which stipulations are filed to submit under the 20th rule, briefs and printed arguments will be received and returned and such records are printed when the cases will be considered by the court.

Proclamation being made the court is adjourned until Monday next at twelve o'clock.

Monday December 15. 1873

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

---

127 The Nashville and Decatur Railroad Company. — Appellant. vs. John C. Orr. | Appeal from the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Alabama at Mobile, with directions to dismiss the bill without prejudice.

per Mr Justice Hunt.

172. The United States on the relation of Lewis Bro. & Co. vs. Pltffs. in Error. Geo. S. Boutwell Secretary of the Treasury

On consideration of the motion to substitute William A. Richardson the present Secretary of the Treasury as defendant in error in this cause for George S. Boutwell the former Secretary, and of the arguments of Counsel thereupon had, as well in support, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Strong.

---

121. James S. & Robert Tillett Executors of N. Tillett deceased, and N. E. Clark. vs. Appellants John Foster.

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to dismiss the bill.

per Mr justice Strong.

51 The Union Pacific R. R. Co. et al. Appellants. / William S. Hamilton Treasurer of Lincoln Co. | Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Fleming for Mr. Justice Strong.
Mr. Justice Bradley,
" Field
" Hunt.

Joseph C. Weber
91. v. Appellant
The Board of State Harbor Commissioners.

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and

was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause, be and the same is hereby affirmed with costs.

Per Mr Justice Field.

---

511 William Best. Pl'ff in Error. John Doe ex dem Sarah Peck. | In Error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and

the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

per Mr Justice Davis.

Joseph Mitchell. Pff in Error, Tilson T. Keenan & Randolph Nichols. | In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate from

decree that similar judgments bear in the courts of the State of Missouri - And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri. -

per Mr Justice Swayne.

The Western Union Telegraph Company. vs. Piff in Error. Charles Eyser.

065.

On consideration of the motion filed in this cause by Mr J. H. Ashton of counsel for the plaintiffs in error for a writ of supersedeas: it is now here ordered by the Court that unless this order and the opinion of this court shall render it unnecessary a writ of supersedeas be, and the same is hereby awarded to be directed to the Judges of the Supreme Court of the Territory of Colorado, and the Judge of the District Court of the first Judicial District of

Colorado and for the County of Arapahoe, and to the Sheriff of the County of Arapahoe commanding and enjoining the Judges of said Courts, and the said Sheriff to stay any execution or proceedings on the judgment in this case pending the writ of error.

per Mr justice Swayne.

1444	The United States vs. Duncan F. Kenner, et al. Heirs of William Kenner, deceased.	Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and judged and decreed by this Court that the decree of the said

District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

The United States
1115. vs. Appellants.
The Heirs of J.
Lenard deceased.

Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

146.	The United States vs. Hyppolite Fiegus Perrisson et al.	Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

147	The United States vs. Miles Cushing	Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

Grant McKay
vs. Appellant,
John D. Wooster,
Daniel D. Shattuck
Petition as Wooster
and Shattuck.

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel On

consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

Francis B. Fogg, Executor of Septima E. M. Rutledge, deceased, H. M. Rutledge, M. M. Rutledge, F. B. Fogg, and Mary M. his wife, H. Rutledge, F. R. Blake, J. D. Blake, H. Blake, and F. H. E. Blake.

152. — vs. Plffs. in Error.

The Mayor and City Council of Nashville.

In Error to the Supreme Court of the State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel — On con-

consideration whereof, it is now here ordered adjudged & decreed by this Court, that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Clifford -

Tomas de la Vega.
312 vs Appellant.
John H Sepsingdal.

On consideration of the motion of Mr T. J. Durant for time to file a full & complete transcript of the record in this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now hereby ordered by the Court that said motion be and the same is hereby denied

per Mr Justice Clifford.

502	William Noun vs. Piff in Error. John G. Lewis assigned.	Ordered by the Court that the motion to dismiss this

cause be, and the same is hereby postponed until the cause is heard on the merits.

103	Robert Graeme Exr. &c. vs. Piff in Error. Patrick Cullen et al.	On consideration of the motion

for a writ of certiorari in this cause and of the arguments of Counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

John C. Allen
630 vs Pff in Error.
The First National
Bank of Xenia

Mr Rodney Mason of counsel for the plaintiff in Error, having suggested to the court that the plaintiff in error was prepared to file the record and have the cause docketed, pursuant to the rules of this court, moved the court to reinstate and annul the judgment entered on the 10th day of November last docketing and dismissing this writ of error. On consideration whereof it is now here ordered by this court, that the judgment of the 10 of November last docketing and dismissing this writ of Error, be, and the same is hereby reversed and annulled, and that the plaintiff in error have leave to file his cause and have the same docketed in conformity to the rules of this court upon payment of costs. Per Mr Justice Clifford.

Ex parte Helen C. Key. Petitioner. | On consideration of the motion of Mr F. H. Bartley for a rule on the Judges of the Court of Claims requiring the said Court to show cause why a writ of Mandamus should not issue compelling them to allow his name to be entered as attorney of record in this cause and of the argument of Counsel thereupon had, in support of the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

Mr Justice Clifford announced that the Court will adjourn on Wednesday the 24th instant to Monday the 5th of January 1874. And also that the Court will sit on Friday of this week, only to hear motions. No other Cases on the docket will be heard on that day.

Mr Justice Clifford said:

Information is received that the late Mr Justice Nelson departed this life on Saturday last at his own residence in Cooperstown N.Y. between one and two o'clock in the afternoon. The Court receives the said intelligence just mentioned with deep regret and sorrow, and from respect to the memory of the deceased and in consideration of his long association with this Court and of his eminent public services now adjourns without transacting the ordinary business.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 16. 1873.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John J. Hooley Esquire Marshal
Daniel Henry Middleton Clerk

Proclamation being made the Court

On motion first made to the Court in this behalf by Mr Charles Mason it is ordered that Joseph P. Comegys Esquire of Dover State of Delaware John M. Knox Esquire of New York City and William H. Crump Esquire of Richmond State of Virginia be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.-

On motion first made to the Court on this behalf by Mr P. Phillips it is ordered that James B. Bradwell Esquire of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr J. P. Hindon, it is ordered that Hon. Jason Niles of Kosciusko State of Mississippi be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.--

---

1127 William Smith vs Appellant. / Indian Scholas

Mr Corwine filed motion to advance this cause on the docket and assign a day for argument.

166.	The Mayor &c. of Nashville. vs. Pff in Error. William Ray.	On motion of Mr George F. Edmunds it is ordered

that this cause be passed for the present.

221.	The Mayor &c of Nashville. vs Pff in Error. H. Lindsey.	On motion of Mr George F. Edmunds it is ordered that this cause be

argued with No 166.

400.	The Town of Ohio vs. Pff in Error George O. Marcy.	This cause was submitted to the consid-

eration of the Court on the record and printed arguments by Mr J. B. Hawley of Counsel for the plaintiff in error, and by Mr George O. Ide for the defendant in Error under the 20th rule. —

H. R. Hill, and
F. Conry et al. -
154 vs. Plffs. in Error.
William Jordan.

This cause was argued by Mr F. P. Stanton of Counsel for the defendant in error, and submitted on printed arguments by Mr R. Johnson, and Mr J. H. Emory for the plaintiffs in error.

Adolph Gallman et al.
157 vs. Appellants.
The United States.

This cause was argued by Mr F. J. Durant of Counsel for the appellants and by Mr Assistant Attorney General Hill for the appellee. -

---

The United States
158 vs. Appellants.
Mandeville Marigny et al.

Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard

on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

	The United States	Appeal from
159.	vs. Appellant	the District
	The Heirs of Thomas	Court of the
	Power deceased.	United States
		for the Dis

trict of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel On consideration whereof it is now here ordered, adjudged

and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Clifford

The United States
vs. Appellant
Michel De Armas et al. | Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed

per Mr Justice Clifford.

161.	The United States vs. Plaintiffs. George Cook.	Ordered by the Court that this cause be, and the same is hereby passed for the present In account of sickness of counsel.

164.	Geo. A. and J. V. Clarke vs Appellants. J. B. Johnson et al.	(Submitted on for 16 Dec) The argument of this cause was commenced by Mr. T. Phillips of counsel for the appellants, and continued by Mr Charles O Conor of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday December 17, 1873

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr J Phillips it is ordered that Hon Alexander White of the State of Alabama and Albert G Jonas Esquire of the City State of Louisiana be admitted to practice as attorneys Counsellors of this Court and they were sworn accordingly.

On motion first made in this Court on this behalf by Hon T. F. Bayard it is ordered that Hon Eli Saulsbury of Dover State of Delaware be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

---

181. Robert Mein et al. vs. Nathan C. Russell

On motion of Mr R. J. Neal it is ordered by the Court that this case be not called for argument before the 15th of January 1874

---

180. George Hay et al. vs. Appellants. J. B. Johnson et al.

The argument of this cause was continued by Mr Charles O'Conor of Counsel for the appellees and concluded by Mr L. Jones of Counsel for the appellants

---

33	Paul C. Coffin vs. Appellant, Jas. B. Ogden et al.	The argument of this cause was commenced by Mr. George Sheffield of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 18, 1873

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John J. Nicolay Esquire Marshal
Daniel Ilsley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Richard H. Spencer Esquire of St-Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George W. McCrary, it is ordered that John Gibbons Esquire of Keokuk State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Paul C. Coffin
35. vs. Appellant
Sam'l Ogden et al

The argument of this cause was continued by Mr George Gifford of counsel for the appellant & Mr W. F. Thurston of counsel for the appellees, and concluded by Mr Gifford for the appellant.

William L. Shrewsbury
169. vs Appellant
The United States.

This cause was argued by Mr T. J. Durant of counsel for the appellant and submitted on printed argument by Mr Attorney General

Hill of Counsel for the appellee.

165	Frederick L. Solomon vs. The United States	Appellant	This cause was argued by Mr H. J. D. Fuller, of Counsel for the appellant, and submitted on printed argument by Mr Assistant Attorney General Hill of Counsel for the appellee

---

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

---

Friday December 19, 1873.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Fisher Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon D. C. Howe it is ordered that H. Bisbee junior Esquire of Jacksonville State of Florida be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made in the Court in this behalf by Mr P Phillips it is ordered that Henry R. Jackson Esquire of Savannah State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

---

On motion first made in the Court in this behalf by Hon P J Pendleton it is ordered that Jacob Randolph Esquire of Morristown State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon T. F. Bayard it is ordered that Hon. A. S. Merriman of Raleigh State of North Carolina be admitted to practice as an Attorney & Counsellor of this Court, and he was sworn accordingly

---

William Smith
127 vs. Appellant,
Nathan Nichols

The motion filed by Mr Corwine in behalf of the appellant to advance this cause on the docket, and assign a day for argument was submitted to the consideration of the Court. Thereupon the Court not being now fully sufficiently advised of, and concerning what order to render in the premises took time to consider.—

The City of Memphis
226 vs Appellant.
Talmage & Brown
Running partner
And
The City of Memphis
233 vs. Appellant
The U. S. ex rel Talmage & Brown

Mr J. M. Carlisle called the attention of the Court to the motion heretofore filed by him for a writ of supersedeas in these cases and on

the application of Mr P. Phillips it is ordered that said motion be, and the same is hereby postponed for the present.

---

620. George Nugent vs. Plff in Error. The Board of Supervisors of Putnam County.—

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr P. M. Shaw of Counsel for the plaintiff in error, and by Mr P. Lyle Dickey for the defendants in error under the 16th rule.

---

631. The United States vs. Appellants. Alexander Caldwell. and Alexander Caldwell vs. Appellants. The United States

These causes were submitted to the consideration of the Court on the record and printed arguments by Messrs Durant and Horner of

counsel for Caldwell, and by Mr Assistant Attorney General Hill for the United States.

Ex parte Jas. S. Robinson
596 - " " Appellant.

The motion of Mr J.S. Robinson to announce this cause and assign a day for argument, was submitted to the consideration of the Court. Whereupon this Court not being now here sufficiently advised of, and concerning what, order to render in the premises look time to consider. -

---

A. Rodgers
606 " Plaintiff in error
Milton Vaughan

Mr J. S. Robinson of counsel for the plaintiff in error, having filed and read in open Court a suggestion of a diminution of the record in this cause, in the words and figures following to wit,

"That the Clerk of the Court below

has failed to file the certificate to the transcript stating that it is a full true and complete record of all the proceedings had and done in said case and affixing the seal of the Court thereto as by law he is required to do, and in fact there is no certificate to the transcript on file whatever.

By reason of which omission and error aforesaid, the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of Arkansas commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found - Whereupon this Court not being now here sufficiently advised of & concerning

what order to render in the premises took time to consider.

The State of Florida ex rel. Complainant
vs.
E. C. Anderson Jr et al

The argument of the motion to dismiss the bill of complaint in this cause was commenced by Mr R. K. Jackson in support of the same, continued by Mr. A. Bisbee jr. in opposition made, and concluded by Mr Jackson in favor of the motion. Whereupon this court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The State of Florida ex rel. Complainant
vs.
E. C. Anderson et al

On motion of Mr A. Bisbee jr. it is ordered by the Court that subpoenas issue in this cause.

The State of Florida	Leave granted Mr
& Orig: vs. Complainant	Jackson to file Answer
E. C. Anderson et al	&c Affidavits in this cause

The State of Florida	Leave granted Mr Bis
& Orig: vs. Complainant	bee jr. to file Exhibits &
E. C. Anderson et al.	Affidavits in this cause.

The State of Florida	Leave granted Mr
& Orig: vs. Complainant	Bayard to file affi:
E. C. Anderson et al.	davits in this cause.

The State of Florida	The argument of
& Orig: vs. Complainant	the motion for
E. C. Anderson et al.	temporary injunc
	tion and appoint

ment of a Receiver was commenced by Mr H. Bisbee jr., in support of the motion

---

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 22nd 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
David Wiley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Ron J. S. Sener it is ordered that John C. Woodson Esquire of Harrisonburg State of Virginia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Robert Morgan it is ordered that Thomas J Frost Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Joseph Casey it is ordered that John Dean Caton Esquire of Ottawa, State of Illinois be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

---

115 - The United States, Plaintiffs vs. C. B. Isham | On certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the points or question on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel - On consideration whereof, it is the opinion of this Court that an answer in the negative should be given to each of the questions certified to this Court. And that the cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the information. Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

Per Mr Justice Hunt

Monday December 22nd 1873 Continued

130.	The United States vs Thomas W. Buzzo.	On a certificate of division in opinion between the

Judges of the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the point or question on which the judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case and made and provided and was argued by counsel - On consideration whereof it is the opinion of this court that the record does not show a proper case for the consideration of this court upon the certificate

aforesaid, inasmuch as the special finding therein mentioned is imperfect and no judgment can be pronounced thereon, and a venire de novo ought to be awarded. Whereupon it is considered and adjudged by this Court that the said certificate must be dismissed, and it is hereby dismissed accordingly. Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court, in order that said Court may proceed according to law.

Mr Justice Bradley.

Wm S. Johnston, Plff in Error.	In Error to the Circuit Court of the United States for the District of Kansas.
1311 S. Pltf in Error.	
Thomas H. Watson, impleaded with H. A. Cullendar & George Seward.	

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause &c. and the same is hereby affirmed with costs

per Mr Justice Strong.

The County of St Clair vs. Hamilton.	In Error to the Supreme Court of the State of Illinois.
John D. Scrimgeour and The Wiggins Ferry Co.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the writ of error in this cause be and the same

is hereby dismissed with costs.

per Mr Justice Strong.

The Town of Pine	In Error to the
1180 vs Plff in Error	Circuit Court
George C Marcy	of the United
	States for the

Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear on the Courts of the State of Illinois.

per Mr Justice Miller.

---

165. Frederick J. Solomon vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to enter a judgment for the Claimant for the sum of four thousand one hundred & sixteen dollars and twenty cents the amount of the voucher.

per Mr Justice Miller.

576 Charles B. Sawyer vs. J. C. Hay assignee of the Lumberman's Insurance Company & another

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller

Dissenting.

Mr Justice Hunt

Monday December 22nd 1873 Continued

Ferdinand Jaegar.
579. vs. In Error.
William Locke assignee
of the Germania Insurance
Company a bankrupt.

In error to the Circuit Court of the United States for the

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest to be paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Dissenting Mr Justice Hunt

per Mr Justice Miller

Max A. Meyer vs. Appellant. William Voss assignee of the Ger mania Insurance Comp'y, a Bankrupt.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

Dissenting
Mr Justice Hunt.

Wilford L. Wilson assignee of Douglass H. Vanderhoof and Andrew J. Vanderhoof Bankrupts. vs. The City Bank of St Paul. Complainants.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof it is the opinion of this Court

and the first and second questions certified be answered in the negative and the third in the affirmative. Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

per Mr Justice Miller.

R. R. Hull, J. Feeney.	In Error
W. D. Ellis for A. Carter.	to the Su-
1511 D. Off. in Error.	preme
William Jordan.	Court of
	the State

of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same

is hereby affirmed with costs and damages at the rate of ten per cent in addition to interest from the date of the decree below, until paid at the same rate per annum that similar decrees bear in the courts of the State of Tennessee.

per Mr Justice Clifford

---

117. William Smith, Appellant, vs Nathan Nichols. | On consideration of the motion to advance this cause and assign a day for argument, it is now here ordered by the court, that said motion be, and the same is hereby denied

per Mr Justice Clifford

---

596. Ex parte J. S. Robinson, Appellant. | On consideration of the motion to advance this cause on the docket and assign a day for argument, it is now here ordered

by the court that said motion be and the same is hereby denied

per Mr Justice Clifford

A. A. Hodges
666 v. Piffin Bros
Mellon Vaughan

On consideration of the suggestion of a diminution of the record in this cause, and motion for certiorari, it is now here ordered by the court that said motion be, and the same is hereby denied. Leave is granted the plaintiff in error to withdraw the transcript to enable him to apply to the Clerk of the Court below to append thereto the necessary certificate.

A. C. Knowles
1177 v. Piffin Bros
The Logansport &c Light & Coke Co.

This cause was submitted to the consideration of the court on the record & printed arguments by Mr H. R. Bigelow of counsel for the plaintiff in error

and by Mr F. R. E. Cornell for the defendant in error under the 20th rule.

---

542. William M. McCarthy vs. Chas. A. Mann et al. | This cause was submitted to the consideration of the court on the record and printed argument by Mr W. P. Clough of counsel for the appellant, and by Mr Henry J. Horn for the appellees under the 20th rule.

---

670. Jonathan Crews vs. Plaintiff in Error Isaac N. Brewer | This cause was submitted to the consideration of the court on the record & printed arguments by Mr Albert Pike of Counsel for the plaintiff in error, and by Mr Gustavus Koerner for the defendant in error under the 20th rule.

The Northwestern Union Packet Company.	On motion of Mr J. M. Carlisle in behalf of Mr. H. Carpenter it is ordered that leave be granted the Clerk to issue the mandate in this cause. -
71. vs. Eff. in error	
Mary McCue adm^x. &c	

Eugene Lasere	On motion of Mr P. Phillips in behalf of Mr J. A Campbell it is ordered that
92. vs. Eff in Error.	
Eugene Rochereau dec^d	leave be granted the Clerk to issue the mandate in this cause.

N J. Clark et al.	On the application of counsel it is ordered that these cases be passed until after the recess. -
158. vs. Appellants,	
William Minot Jr.	
and	
William Minot Jr.	
50. vs. Eff in Error.	
The Philadelphia Wilmington & Baltimore Railroad Co.	

Monday December 22nd 1873 continued.

The State of Florida
& orig: Complainant
vs
C. C. Anderson Jr. et al.

The argument of the motion for temporary injunction and appointment of a receiver, was continued by Mr A. Bisbee jr. in support of the motion, and by Mr H. R. Jackson in opposition thereto

---

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

---

The Northwestern Union Packet Company }
71. vs. } Eff. in error
Mary McCue adm^x. &c

On motion of Mr J. M. Carlisle in behalf of Mr. K. H Carpenter it is ordered that leave be granted the Clerk to issue the mandate in this cause. -

---

Eugene Lasere }
92 vs. } Eff in Error.
Eugene Rochereau dec.

On motion of Mr P. Phillips in behalf of Mr J. A. Campbell, it is ordered that leave be granted the Clerk to issue the mandate in this cause.

H. J. Clark et al.
155. vs. } Appellants,
William Minot Jr.
and
William Minot, Jr.
50. vs. } Eff in Error.
The Philadelphia Wilmington & Baltimore Railroad Co.

On the application of counsel it is ordered that these cases be passed until after the recess. -

Monday December 22nd 1873 continued

The State of Florida. & orig. Cs Complainant C. C. Anderson Jr. et al.	The argument of the motion for temporary injunction and appointment of a receiver, was continued by Mr A. Bisbee jr. in support of the motion, and by Mr H. R. Jackson in opposition thereto

---

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M

Tuesday December 23rd 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt.
} Associate Justices.

Wm. G Hecker Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Chicago & North-western Railway Company. Plaintiff in Error.
vs
Darius Fuller.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued

by counsel. On consideration where of it is now here ordered & adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne

The State of Florida
& orig: bs. Complainant
E. C. Anderson Jr. et al.

The argument of the motion for a temporary injunction, and the appointment of a receiver in this cause was continued by Mr H. K. Jackson in opposition to the motion, and also by Mr W. W. Boyce on behalf of the defendant D. P. Holland in opposition to the motion: Mr Bisbee declined to make any reply. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Orange, Alexandria and Manassas R.R. Co 167 vs. Appellant, The Southern & Atlantic Telegraph Company.	The argument of the motion to dismiss and on the merits of the case, was commenced by Mr Francis L. Smith of counsel for the appellant.

The Orang, Alexandria and Manassas R.R. Co. 167 vs. Appellant, The Southern & Atlantic Telegraph Company.	Ordered by the Court that this case be passed, & not to be called for argument before the 15th of January.

Henry S. Buckley 169 vs Appellant The United States.	This cause was argued by Mr C.W. Horner of counsel for the appellant, & submitted on printed arguments by Mr. A.A. Gen. Hill for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 24th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

The State of Florida
v. Virginia - vs. Complainant
Daniel H. Holland, Edward C. Anderson Jr. J. Frederick Waring, Wm. J. McNish, Wallace Cummings, Lewis T. Nichol, George Robertson, Valentine Grest, James Hunter, John M. Lewis and, Joseph S. Bayard, and Sherman Conant, Marshal of the United States for the Northern District of Florida. Defendants.

Wednesday December 24, 1873 continued –

In Equity. On Bill for Injunction &c.

This cause coming on to be heard on a motion for a preliminary injunction and the appointment of a receiver as prayed in the bill: and it appearing that due notice of this motion has been served on the defendants, and the matter being heard upon the bill pleadings affidavits and exhibits, and the same being argued by H. Bisbee jr., Esquire for the complainant and by W. W. Boyce Esquire of counsel for Daniel P. Holland one of the defendants, and by H.R. Jackson Esquire of counsel for the other defendants, and the court having considered of the same: It is now ordered and directed. That a preliminary injunction do issue to restrain the defendants and each of them, and especially the said Sherman Conant Marshal of the United States for the Northern District of Florida, and they

are hereby enjoined and restrained until the further order of this court from selling the railroad or other property of The Jacksonville Pensacola and Mobile Railroad Company or of the Florida Central Railroad Company, or any part thereof, or any part of the line of railroad and its appurtenances which extends from Jacksonville in the State of Florida westwardly to the Apalachicola river, and the branch extending from Tallahassee to St Marks, and especially to restrain the said Sherman Covenant, Marshal as aforesaid from proceeding to sell the said railroad, or any part thereof, under or by virtue of any execution or order of sale issued, or to be issued from the Circuit Court of the United States for the said Northern District of Florida, and to restrain the said defendants Edward C. Anderson junior and others

from proceeding to have the said railroad or property or any part thereof, sold under the decree of said Circuit Court, made at their suit on the 9th day of December 1872, or any supplementary order or decree in their said suit, until the further order of this court.

It is further ordered & directed that the defendant Daniel P. Holland do make out and transmit to the Clerk of this court, within thirty days from the date of this order, an account of all the moneys received by him, or his agents from the proceeds or earnings of said railroad or any part thereof; and that monthly thereafter, he do make out and transmit to the said Clerk an account and statement of all such further receipts as he shall from time to time realize or receive, from the proceeds or earnings of said railroad or any part thereof for each successive month. And that the said accounts be verified by affidavit=

And the Court reserves for future consideration any further direction in the premises arising on said motion.

per Mr Justice Clifford.

The State of Florida
&c. Complainant,
vs.
Daniel P. Holland,
Edward C. Anderson
Jr. et al. -

On motion of Mr H. Bisbee jr. and counsel of Mr H.R. Jackson, it is ordered that the demurrer filed in this cause be, and the same is hereby set for argument on the last Friday in January 1874.

The Manhattan Life
Insurance Company,
1118. vs. Plff in Error,
Dolores Francisco.

On motion of Mr C.H. Kendall it is ordered that leave be granted the Clerk to issue the mandate in this cause.

---

172. The U.S. ex rel. Lewis Bro's & Co. vs. Riffs. on Error. George S. Boutwell Secty. of the Treasury. | Mr Asst. Attorney General Hilsfield submitted to the consideration of the court the motion to dismiss this writ of error. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

170. Albert Grant vs. Appellant Samuel Strong. | The argument of this cause was commenced by Mr F. Miller of counsel for the appellant, continued by Mr W. K. Cook of counsel for the appellee and concluded by Mr W. A. Meloy for the appellant.

---

151. The Howe Mf'g Baker Sewing Machine Co. vs. Riff in Error. The Howe Sewing Machine Co. | Ordered by the court that this cause be not heard before the 20th of January 1874.

171.	Thomas J. Bartholow et al. vs. H. C. Bean, assignee.	Pleff in Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr R. H. Spencer of counsel for the plaintiffs in error and by Mr Nathaniel Myers, for the defendant in error.

172.	The U. S. ex rel. Lewis Bro. & Company. vs. George S Boutwell Secretary of the Treasury.	Pleff. in Error

This cause was submitted to the consideration of the court on the record and printed argument by R. M. and D. Converse Esquires of counsel for the plaintiffs in error.

173.	R. Cooper Executor &c. vs L. J. Omohundro.	Pleff in Error.

This cause was submitted to the consideration of

the Court on the record and printed arguments by Mr J. M. Carlisle and Mr James Lyon of counsel for the plaintiff in error, and by Mr W. H. Crump for the defendant in error.

S. Groshalz et al.		Ordered by
1741 vs	Appellants,	the Court that
C. Newman et al		this cause be, and the same is hereby continued to the next term.

Henry Miller		This cause was sub-
176 vs.	Pltf in Error	mitted to the consider-
Mary Forsyth et al.		ation of the Court on

the record & printed arguments by Mr David Fultz of counsel for the plaintiff in error, and by Mr John C. Hoodson for defendants in error.

---

177. Thomas H. Allen et al. vs. A. H. Ferguson. Pffs. in error

This cause was submitted to the consideration of the court on the record and printed arguments by Mr A. H. Garland of counsel for the plaintiffs in error and by Messrs Clark and Williams for the defendant in error.

---

178. J. K. Tiffany trustee &c. vs. The National Bank of the State of Missouri. Pff in Error

179. and J. K. Tiffany, trustee &c. vs. Boatmens Savings Institution. Appellant

Ordered by the Court that these cases be, and the same are hereby continued for the present.

Proclamation being made the Court is adjourned until Monday the 5th day of January next at 12 o'clock.

Monday January 5. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John F. Meloy Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Adolph Guttman and Andrew Stewart,		Appeal from the Court of Claims.
157 vs	Appellants.	
The United States.		

This cause came on to be heard on the transcript of the record from the Court of Claims and

was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed

per Mr Justice Hunt.

William S. Shaw & Bro. Appellant,
vs. | Appeal from the Court of Claims.
162 The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims & was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.-

per Mr Justice Hunt.

Philip Hicks 138. vs Appellant George Kelsey.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

James Sykes
129. vs. Pltff in Error
Eleanor McChadwick.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Bradley

Dissenting,
Mr Jus. Miller.

Mr Justice Davis did not sit, on the argument of this cause, and took no part in the decision.

The Ship Sapphire &c.
G. C. Theyard and
A. Fowle claimants.
133 vs. Appellants.
Napoleon III Emperor
of the French.

Appeal from
the Circuit
Court of the
United States
for the Dis-
trict of California.

This cause came on to be heard
on the transcript of the record from
the Circuit Court of the United States
for the District of California and
was argued by counsel. On con-
sideration whereof, it is now
here ordered adjudged & decreed
by this Court, that the decree
of the said Circuit Court in this
cause be, and the same is hereby
affirmed with costs and interest
until paid at the same rate per
annum that decrees bear in
the Courts of the State of California.

per Mr justice Strong.

	William Hales, and John G. Treadwell, administrator of Ellen Treadwell, deceased	Appeal from the Circuit Court of the United States for the Northern District of New York.
125.	vs. Appellants	
	Jasper Van Wormer, Michael McGarvey, Abraham Mann, and Joseph C. Barnes.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

Andrew J. Beam
vs. Plaintiff.
Daniel S. Beckwith,
and Silman Henry.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made & and provided and was argued by Counsel. On consideration whereof, it is the opinion of this Court that the questions certified must be answered in the negative. Whereupon it is now here ordered & adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Justice Field.

J. M. Kinshaw, G. H. Kinshaw, H. Kinshaw, F. Van Fossen, John Doe Chester, J. J. Clymer, H. McOrd, P. M. Reim, P. Peralta, John Doe, Richard Roe, William Stokes, Peter Blue, Wm. Orange, Henry Frent, & Jesse Sulz.
131. vs. Plffs. in Error.
George R. Bissell

Def'ts in Error from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field

The Union Pacific Railroad Company. vs. Peff in Error. Jesse L. Fort. | In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

per Mr Justice Davis.

Dissenting
Mr Jus. Bradley.

The Washington University of Missouri
115. vs. Appellant,
George B. Finch, assignee of James J. Daily, Bankrupt, Edw.d R. Chambers.

Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri, with directions to dismiss the bill

Joshua Atkins and Edwin Atkins.	Appeal from the Circuit Court of the United States for the Eastern District of
8 vs. Appellants.	
The Fibre Disintegrating Company.-	

New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the district Court. per Mr Jus. Swayne.

Dissenting: Mr Jus. Miller
" " Strong.

The New England Mutual Insurance Company. The Independent Insurance Co. The Republic Insurance Company, The Equitable Insurance Co. The Iron Mountain Mining Company. vs. Appellants, The Detroit Cleveland N. Nav. Comp'y	Appeal from the Circuit Court of the United States for the N. Dist. Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions

to overrule the plea to the jurisdiction and for further proceedings to be had therein according to right, and justice.

Dependency per Mr Justice Swayne.
Mr Jus. Miller
" " Strong.

	Paine C. Coffin	Appeal from the Circuit Court of the United States for the Southern District of New York.
38.	vs. Appellant.	
	James B. Ogden & Lucius Woodruff.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne—

1112. The Manhattan Mutual Insurance Company. Plff. in Error. Benjamin F. Folsom. | Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Clifford.

Monday January 5th 1874. Continued -

Richard Cooper Exct. of Silas Omohundro deceased.
vs.
Littleton J. Omohundro.

In Error to the Circuit Court of the United States for the Eastern District of Virginia.

173.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

per Mr Justice Clifford.

The United States, use'l Henry Lewis, Joseph N. Lewis, & Walter Lewis, as Lewis Bro's & Co., v. E. W. Lehman.	In Error to the Supreme Court of the District of Columbia.
172. vs. Pigs. in Error.	
George S. Boutwell Secretary of the Treasury of the U.S.	

This cause came on to be heard on the Transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof the suit having abated, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with Costs. — per Mr Justice Clifford.

Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Tuesday January 6th 1874

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

No. 515. The Hartford Fire Insurance Company vs. Rhoda Green. Pff in Error. | In Error to the Circuit Court of the United States, for the District of Vermont.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Vermont and on the stipulation of counsel on file and motion of Mr S. P. Poland it is now here ordered & adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs. per Mr Justice Clifford.

John V. Dedor, Samuel H. Dedor, & Duncan Rowan vs. The Propeller, Comet, her tackle &c., The Lake and River Transportation Company. Claimant. | Appeal from the Circuit Court of the United States for the Northern District of New York.

933

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and on the

motion of Mr J. McCarlisle, on behalf of counsel & stipulation on file, it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

---

110. Jefferson Facey Plff in Error. | On motion of Mr J. McCarlisle on behalf of Mr S. F. Leach leave is hereby granted the Clerk to issue the mandate in this cause.
Mary Fearn et al.

---

493. The United States. Appellants. | Appeal from the Circuit Court of the United States
vs.
Thomas E. Valentine.

for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of California & on the motion of Mr Assistant Attorney General Goforth of counsel for the appellants it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr Justice Clifford.

James Garrett, Homer Edgar Brindle, and John K. Gale, sole owners of the Brig "City of Erie" vs. Pffs. in Error. John Canfield.

63 1/2

In error to the Supreme Court of the State of Michigan

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on the motion of Mr E. J. Durant, in behalf of counsel, and Stipulation on file stating that the matters in con-

in this cause have been agreed and settled between the parties. it is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr Justice Clifford

---

170. Albert Grant vs. Appellant, Samuel Strong. | On motion of Mr T. A. Cook it is ordered that leave be, and the same is hereby granted him to file original role in this cause

---

9. Original — Petitioner. | On motion of Mr S. H. Woodford leave is hereby granted him to file petition for writ of habeas corpus and certiorari and it is ordered that said petition be assigned for argument on Friday next the 9th instant.

---

93. A. & G. Mitteberger vs. Piffs. in Error. Edwin G. Cook. | This cause was argued by Mr Duncan G. Campbell of Counsel for the plaintiffs in error, and by Mr O. D. Barrett for the defendant in error.

---

50. William Minot Jr. vs. Pff. in Error The Philadelphia Wilmington & Balt. R. R. Co. | Ordered that one half hour additional time on each side be allowed in the argument of this cause.

---

50. William Minot Jr. vs. Pff. in Error The Philadelphia Wilmington and Baltimore Railroad Company. | The argument of this cause was commenced by Mr J. E. Gowen of Counsel for the plaintiff in error, & continued by Mr T. F. Bayard of counsel for the deft in error.

H. J. Clarke and H. B. Cahall vs. William Minot Jr.	Appeal from the Circuit Court of the United States for the District of Delaware.

168

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware, and on the motion of counsel it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs per Mr Justice Clifford

---

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 7. 1874.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phil H. Phillips it is ordered that John H. McMurdy Esquire of Georgetown Territory of Colorado, be admitted to practice as an attorney & Counsellor of this Court. He was sworn accordingly.

165	Frederick Z. Salomon vs. The United States.	Appellant	On motion of Mr P. J. D. Fuller leave is hereby granted the Clerk to issue the mandate in this cause.

193	The United States vs. Thomas S. Tunstall.	Appellant	On motion of Mr Assistant Attorney General Goforth, leave is hereby granted the Clerk to issue the mandate in this cause.

30	William Mingst for use &c Plaintiff. The Pennsylvania Pittsburgh and Allegheny Railroad Co.		The argument of this cause was continued by Mr E. Salisbury of Counsel for the defendant in error and concluded by Mr J. P. Comegys of Counsel for the plaintiff in error.

178 John K. Tiffany surviving trustee. vs. Pltff in Error. The National Bank of the State of Missouri.

This cause was argued by Mr Samuel Knox of Counsel for the plaintiff in error & submitted on printed argument by Mr J. A. Broadhead for the defendant in error.

---

179 John K. Tiffany surviving trustee vs. Appellant. The Boatmen's Saving Institution

The argument of this cause was commenced by Mr Samuel Knox of counsel for the appellant and continued by Mr B. F. Gantt for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 8. 1874.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John F. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

147	The United States vs. Appellants Caleb Cushing	On motion of Mr. D. Jamin leave is hereby granted the Clerk to issue the mandate in this cause.

Thursday January 8. 1874. Continued.

John K. Tyffany surviving trustee &c.
179 vs Appellant
The Boatmens Saving Institution

The argument of this cause was continued by Mr T. J. Gantt of counsel for the appellees, and concluded by Mr E. R. Hoar of Counsel for the appellant.

L. Madison Day
181. vs. Pff in Error.
Thompson Mcnaughal.

Joseph Bruguera
479 vs Pff in Error.
Alfred Tidell et al heirs &c.

and

Edward Heath
532. vs Pff in Error.
Alfred Tidell et al heirs &c. -

Ordered upon application of Counsel one additional hour to be allowed each side in the argument of these cases.

L. Madison Day.
150. vs. Piff in Error.
Thompson Mecon dec'd

Joseph Brugere
1174 vs. Piff. in error.
Alfred Sidell et al heirs &c.
and
Edward Kidd.
532. vs. Piff in Error
Alfred Sidell et al.
heirs &c.

The argument of these cases was commenced by Mr L. Madison Day on behalf of the plaintiffs in - The Court declined to hear argument of Mr W. A. Clarke counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 9. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr B. F. Butler it is ordered that A. K. P. Joy Esquire of Boston State of Massachusetts be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

---

517 Francis Dunlevy
vs. Appellant,
The Columbus & Lake
Erie R.R. Co., The San-
dusky Mansfield and
Newark Railroad Co.,
The Central Ohio R.R. Co.
The Bellaire and Ohio R.R. Co.
and James R. Stanberry et al.

Appeal from
the Circuit
Court of the
United States
for the
Northern
District
of Ohio.

This cause came on to be heard
on the transcript of the record from
the Circuit Court of the United
States for the Northern District
of Ohio and on the motion of Mr
R. McCormick in behalf of counsel
and stipulation on file it is now
here ordered adjudged and decreed
by this Court that the decree of
the said Circuit Court in this
cause be, and the same is hereby
affirmed with costs.

per Mr Justice Clifford.

166. The Mayor &c of Nashville vs. Pfff in Error. William Ray

and

221. The Mayor &c. of Nashville vs. Pfff in Error H. Lindsey.

On motion of Mr Edmunds it is ordered that these cases be not called before Monday next: and that a half hour additional time be allowed each side in the argument of the same.

---

614. Christian H. Lilienthal vs. Pfff. in Error. Thomas Harland et al.

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr J. H. Ashton in support of the same, and by Mr George Norris in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

154 N. R. Halb, T. F. Conley et al. vs. William Jordan. — Plffs. in Error. | On motion of Mr F. P. Stanton leave is hereby granted the Clerk to issue the mandate in this cause.

1141 The United States Appts vs. Heirs of Wm. Kenner, decd
1145 " " " " " " Leonard "
146 " " " " " Fergus Peniston et al.
138 " " " " . M. Maigny et al.
159 " " " " .. Heirs of Thos. Power decd.
160 " " " " " M. De Armas et al.

On motion of Mr L. Janin, leave is hereby granted the Clerk to issue the mandate in these cases. -

---

200 Elizabeth Cropley, Appellant, vs. Wm. Cooper et al. — Mr J. H. Bradley having suggested the death of William Cooper, one of the appellees in this cause: moved the Court for leave to file the appearance of George Cooper. Ann

Havenner, married to John F. Havenner, Harriet C. Hepburn married to Henry C. Hepburn, Susan Cooper, William F. Cooper, Emily married to Edward H. Dougherty, Joseph Cooper and Jane H. Cooper his children and only heirs at law of the said William Cooper deceased. In consideration whereof it is now here ordered by the Court that the said children and heirs at law of William Cooper deceased, as aforesaid be, and they are hereby entered and made parties appellee in this cause with liberty to resist this appeal.

1876. James S. French vs. Alexander Hay.

Appellant

Mr. T. G. Ridout of counsel for the appellee having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following

to wit;

"The omission from the record of paper exhibits of the said appellee from and including No 30, to. and including No 66. See Record p.p. 104 & 105, also two papers marked 'Defendants Exhibits (D.H.B. D. 1.) and (D.H. B. D. 2.) See Rec p. 129."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the judges of the Supreme Court of the District of Columbia commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Supreme Court whatever omissions and error shall be found - On consideration whereof it is now here ordered adjudged and decreed by this Court that a

writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Supreme Court, whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

per Mr Justice Clifford.

John H Tappan
Collector &c.
567 vs. Appellant.
The Merchants National Bank of Chicago.

Mr J S Hawley moved the Court to advance this cause on the docket, and assign a day for argument, Whereupon this Court not being now here sufficiently advised,

of, and concerning what order to render, in the premises took time to consider.

20.	William Daniel et al. vs. James Thartenly.	Pffs. in Error,	On motion of Mr. T. F. Bayard leave is hereby granted the Clerk to issue the mandate in this cause.

9.	Ex parte In the matter of Edward Lange - Original -	Petitioner,	The petition for writs of Habeas Corpus and Certiorari in this cause was argued by Mr S. L. Woodford in support of the same: Whereupon the Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

Ex parte In the matter of Henry C. Yarnall. — | Mr F. Thil. lips submitted to the consideration of the court motion for the allowance of an appeal in this cause.

The Steamer Lucille &c. 218. vs. Appellant. Nancy Respass. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr W. S. Bryan and Mr T. Alex. Seth, in support of the same, and by Mr R. Stockett Matthews in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order, to render in the premises took time to consider.

The Steamer "Rio Grande" &c.
534 vs. Appellants.
William Clus et al.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr T. J. Semmes in support of the same and by Mr G. C. Gabell in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Robert Graeme Exr. &c.
603 vs. Riffin's Error.
Patrick Cullen et al.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr Conway Robinson in support of the same, and by Mr W. B. Webb, and Mr James Lyon in opposition thereto. Whereupon this Court not

being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Seven Hundred and forty one packages of goods, wares and merchandise. D. F. Hill, J. Dawson, and A. Saunders Claimants.

182 vs. Pffs. in Error.
The United States.

In Error to the District Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute their writ of Error, and failing to appear, it is thereupon on motion of Mr

Assistant Attorney General Hall of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed pursuant to the 16th Rule of this Court.

per Mr Justice Clifford.

	The Balto & Ohio R.R. Co.	Ordered by the Court that this Cause be,
153	vs Pltff. in Error.	
	The State of Maryland	

and the same is hereby passed. there being a motion pending to dismiss the writ of error.

	Johnson J. Sawyer,	This cause
154	vs. Appellant	was argued
	Henry Hiscoll Pickell.	by Mr J. N. H.

Carpenter of Counsel for the appellant, and submitted on printed argument by Mr Frost of counsel for the appellees.

---

185 The United States, Appellants, vs. Francis E. Trudeau and her husband. | Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

186 The United States Appellant
vs
The Cities of Baltimore and New Orleans.

Appeal from the District Court of the United States, for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by counsel On consideration whereof, it is now here ordered adjudged & decreed by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

---

187 The Cities of Baltimore and New Orleans Appellants
vs
The United States.

This cause was submitted to the consideration of the court on the record and

printed arguments by Mr G. Janin of Counsel for the appellants, and by Mr Assistant Attorney General Hill for the appellee.

---

188. Charles J Carpenter trustee. vs. Charles S. Rannels. | Writ of Error. | This Cause was submitted to the consideration of the Court on the record and printed arguments by Mr B A Hill of counsel for the plaintiff in error, and by Messrs Glover and Shepley for the defendant in error.

---

189. The Wilmington and Weldon Railroad Co. vs. Gilbert Elliot, et al. | Writ of Error. | Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

190	The City of Davenport vs David Downs. Appellant.	This cause was submitted to the consideration of the Court on the Record and printed arguments by Mr John N. Rogers of Counsel for the appellant, and by Mr Thomas F. Tilton for the appellee.

191.	The Sioux City and Pacific Railroad Co vs. Piff in Error, N. F. Stout by his next friend P. M. D Stout.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 12. 1874.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. D. Lincoln it is ordered that Henry A. Merrill Esquire. John F. Follett & William H. Standish Esquires of Cincinnati State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Hon Henry Cooper it is ordered that X. McP Smith Esquire of Nashville State of Tennessee be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Assistant Attorney General Hall, it is ordered that George G Blanchard Esquire of Placerville State of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P Phillips it is ordered that Warren G Elliott Esquire of Norfolk State of Virginia be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Phillips, it is ordered that Samuel C. Perkins Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

177. Thomas H. Allen, and James M. Allen, partners as T. H. & J. M. Allen & Co. vs. Austin H. Ferguson. Plaintiffs in Error. In error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by Counsel - On consid-

cation whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby affirmed with costs.

per Mr Justice Hunt.

113 John T. Glenn and George W. Adair, Assignees of George Johnson, bankrupt. vs. George Johnson, F. H. Flynn, as Trustee for Margaret Johnson & Margaret Johnson. | Appeal from the District Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed

by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs. -

per Mr Justice Field.

---

176. Henry Miller vs. Pleffi Error, Moses Joseph, and O. C. Sterling Sheriff of Rockingham County Virginia | In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr justice Field

The Steamship "Bermuda" her tackle &c. The Pacific Steam Navigation Co., Claimant

1140. vs. Appellant.

The Union Ferry Co. of Brooklyn.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr Justice Davis.

170 Albert Grant vs. Samuel Strong Appellant. | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with Costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to dismiss the bill.

per Mr Justice Miller.

Dissenting
Mr Jus. Strayne.

512 William M McCarty vs. Charles A Mann & Eben Mayall. Appellants

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne

123

William T. Fraser
vs.
The Propeller "Monona"
&c William G. Fargo,
Sheldon Pease, and
Elisha H. Buck.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, & the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the District Court.

Per Mr Justice Clifford.

Ex parte, In the matter of Edward Lange — Petitioner

On consideration of the petition filed by Mr S. L. Woodford of counsel on behalf of petitioner, and of the argument in support of the same: It is considered ordered & adjudged by this court that a writ of Habeas Corpus be issued directed to the Marshal of the United States for the Southern District of New York commanding him to have the body of the said Edward Lange, with the day and the cause of his detention, before this court forthwith to do, receive & submit to all and singular those things which the court shall consider concerning him in this behalf, and to have then and there the said writ with his doings thereon.

And it is further ordered by this Court that a writ of certiorari, do issue to be directed to the

Judges of the Circuit Court of the United States for the Southern District of New York, requiring and commanding them that they do send under the seal of the said Circuit Court, a full true and complete transcript of the proceedings had in said Court together with all things touching the same to this Court forthwith.

And it is further ordered that all further proceedings in said Circuit Court in this case, be stayed until the further order of this Court, made in the premises.

per Mr Justice Clifford.

---

524 The Steamer Rio Grande &c. vs William Otis et al. Appellant, | On consideration of the motion to dismiss this cause, and of the argument of Counsel thereupon had, as well in support of, as against the same, it is now

here ordered by the court that said motion be, and the same is hereby denied.

per Mr Justice Clifford.

The Albany City Insurance Company vs. Piff in Error
119 James M Ballentine.

In Error to the Circuit Court of the United States for the District of Michigan.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel. On consideration whereof the court being equally divided in opinion, it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

	The Cities of Baltimore and New Orleans	Appeal from the District Court of the United States for the District of Louisiana
187	vs Appellants	
	The United States —	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed

per Mr Justice Clifford.

Robert Greenne Executor and Sole devisee of John Graeme deceased.
603. vs. Pff in Error.
Patrick Cullen et al.

In error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on the motion of Mr Robinson to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Clifford.

Monday January 12. 1874. Continued

614. Christian N. Lilienthal vs. Plff in Error. Thomas Harland, and Daniel G. Rollins, junior. | In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and on the Motion of Mr Ashton to dismiss, which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Clifford.

John M. Tappan Collector of Taxes, of Chicago.
567 vs. Appellant
The Merchants National Bank of Chicago.

On consideration of the motion to advance this cause and assign a day for argument, it is now here ordered by the Court that said motion be, and the same is hereby granted: and that the case be, and the same is hereby assigned for argument, on Tuesday the 3rd. of March A.D 1874.

The Wilmington and Weldon Railroad Co.
154 vs. Plff in Error,
Willard Elliott et al.

Ordered by the court that the order of continuance entered in this cause on the 9th instant, be, and the same is hereby stricken out.

---

189. The Wilmington and Weldon Railroad Co. vs. Pliff in Error. Gilbert Elliott et al. | This cause was submitted to the consideration of the court on the record and printed argument by Mr C. M. Duffield of counsel for the defendants in error.

---

229. John D. Nash et al, vs. Pliffs in Error. H. H. Williams. | Mr J. A. Buchanan of counsel for the defendant in error having suggested the death of H. H. Williams the defendant in error in this cause moved the court for leave to enter the appearance of Rebecca A. Williams Executrix of the last will and testament of the said H. H. Williams deceased & principal devisee and legatee of the real & personal property of the said Williams deceased as aforesaid

as the party defendant in error in this cause. On consideration whereof it is now here ordered by the Court that the appearance of the said Rebecca A. Williams Executrix &c as aforesaid be entered, and that she be, and is hereby made the party defendant in error in this cause in the place of W.A. Williams deceased, with liberty to resist this appeal. -

---

166. The Mayor &c of Nashville. vs Plff in Error. William Ray.

and

521. The Mayor &c of Nashville. vs Plff in Error. H. Lindsey. -

The argument of these cases was commenced by Mr H. Cooper of counsel for the plaintiff in error and continued by Mr R. McP. Smith of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Tuesday January 13th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr B. C. Cook it is ordered that Rufus King Esquire of Chicago, State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

166. The Mayor &c of Nashville vs. William Ray. Plaintiff in Error

and

221 The Mayor &c. of Nashville vs. H. Lindsey. Plff in Error.

The argument of these cases was continued by Mr P. Smith and Mr S. F. Edmunds of counsel for the defendant in error and concluded by Mr H. Cooper for the plaintiffs in error

---

191. The Sioux City and Pacific Railroad Co. vs. N. G. Stout &c. Plff's. in Error.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Isaac Cook of counsel for the plaintiffs in error, and by Mr S. A. Huckland for the defendant in error.

The Home Life Insurance Company of Brooklyn - 192. - vs. Piff in Error Lucinda M Dunn administratrix	The argument of this cause was commenced by Mr H. A. Morrill of Counsel for the plaintiff in error, and continued by Mr W. H. Standish of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 14. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Newby Middleton Clerk.

Proclamation being made the Court is opened.

Joshua Atkins
vs. Appellants.
The Fibre Disintegrating Company.

On motion of Mr C. H. Hill in behalf of Mr E. C. Benedict leave is hereby granted the Clerk to issue the mandate in this cause.

192. The Home Life Insurance Company of Brooklyn. vs. Pfff in Error. Lucinda M. Dunn, admx

The argument of this cause was continued by Mr N. H Standish of counsel for the defendant in error: Mr Geo Hoadley of counsel for the plaintiff in error declined making any reply.

---

196. Theodore Cook et al. assignees vs. Appellants. Jeremiah C. Tullis.

(Continuance for No 193.) The argument of this cause was commenced by Mr Geo Hoadley of counsel for the plaintiff in error, continued by Mr H. A Morrill of counsel for the defendant in error, & concluded by Mr Hoadley for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

---

Thursday January 15. 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Phillips it is ordered that R. C. Badger Esquire of Raleigh State of North Carolina be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. J. Crittenden it is ordered that A. M. Stone Esquire of Denver, Territory of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr J. M. Bradley, Senior, it is ordered that Edward McCrady Junior Esquire of Charleston State of South Carolina, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

---

136. The United States vs. John Aaron. Plaintiff

This cause was argued by Mr Solicitor General Phillips of Counsel for the plaintiffs No Counsel appearing for the defendant.

1113. John Jones et al. Plffs. in Error. vs. The United States | This cause was argued by Mr P. Phillips of counsel for the plaintiffs in error, and by Mr Solicitor General Phillips of counsel for the defendant in Error.

---

181. Albert Klein Plff in Error. vs. Nathan C. Russell. | This cause was argued by Mr Matthew Hale of counsel for the plaintiff in error, and by Mr. St. E. Smith of counsel for the defendant in error.

---

193. Sidney L. Chaffee et al. Plffs. in Error. vs. The United States. | On the application of counsel it is ordered that one hour additional time be allowed each side in the argument of this cause.

193.	Sidney L. Chaffee et al. vs. Peffs. in Error. The United States.-	The argument of this cause was com-

menced by Mr John F. Follett of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 16th 1874.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clyfford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. B. F. Butler it is ordered that Joseph F. Clark, and Charles G. Fall Esquires of Boston State of Massachusetts be admitted to practice as attorneys & counsellors of this Court & they were sworn accordingly.

The Woodman Pebbling Machine Company.
311. vs. Appellant,
Charles H. Guild et al.

Mr. P. Phillips in behalf of counsel filed stipulation of counsel to reverse the decree of the Circuit Court in this cause and that a decree be entered for the appellants, and that the mandate may issue. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

John C. Underwood et al.
304. vs. Plffs. in Error.
William N. McVeigh.

Mr. W. M. Boyce of counsel for the defendant in error having suggested the death of John C. Underwood, one of the plaintiffs in error in this cause, moved

the court for an order under the 15th. rule of court to make the proper representatives parties. On consideration whereof it is now here ordered by this court that unless the proper representatives of the said John C. Underwood deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have the writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the seat of government, in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court, next ensuing.

193. Sidney L. Chaffee et al. vs. Piffs. in Error. The United States. | The argument of this cause was continued by Mr John F. Follett, of Counsel for the plaintiffs in error, by Mr Solicitor General Phillips of Counsel for the defendant in error, & concluded by Mr George Hoadley of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 19, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Philip Phillips it is ordered that Stephen Bailey Esquire of Chicago, State of Illinois be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.-

---

142. George A. Kibbe vs. Pleasant & Benson. Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Hunt.

L. Madison Day.
180 vs. Plff in Error.
Thompson Micou, S. V.
Micou (the widow of
Geo. P. Ring,) Augustin
Micou & Richd W. & Wm
H. Micou, minors by
their tutor Augustin
Micou, and the heirs
at law of Willie Ann
Micou, dec'd, to wit.
Augustin, Susan Virginia,
(widow of Ring, Thomp
son, Richard M. and
William H. Micou.

In Error
to the Su-
preme Court
of the State
of Louisiana

This cause came on to be heard
on the transcript of the record from
the Supreme Court of the State of
Louisiana, and was argued by
Counsel. On consideration where-
of it is now here ordered and
adjudged by this Court that the
judgment of the said Supreme
Court in this cause be, and the

same is hereby affirmed with costs.
per Mr Justice Strong.

479	Joseph Bruyere vs. Pltff. in Error. Alfred Slidell et al heirs of John Slidell deceased.	In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.
per Mr Justice Strong.

	Edward Heath.	In error to
532.	vs. Pff in Error.	the Supreme
	Alfred Sidell	Court of the
	et al., heirs of John	State of
	Sidell, deceased.	Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

	Solomon G. Kitchen	Appeal from
126.	vs. Appellant	the Circuit
	Wm C. Reyburn et al.	Court of the
		United States

for the District of Missouri.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Strong.

178. John K. Tiffany surviving trustee of the State of John F. Darby - Bankrupt.. vs. Plff. in Error. The National Bank of the State of Missouri. | In Error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

per Mr Justice Strong.

The Steamer Lucille, The Baltimore and Southern Transportation Company. — Appellant, vs. Nancy Respass, John Respass et al. — Appeal from the Circuit Court of the United States for the District of Maryland.

218.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court, that this appeal be, and the same is hereby dismissed with costs.
Dissenting, per Mr Justice Miller
Mr Justice Clifford.

Thomas J. Barthalow, James H. Lewis, Benjamin H. Lewis Jr. & John D. Perry vs. Pitts. in Error.
William C. Bean, assignee of Charles S. Kintzing, bankrupt.

In Error to the Circuit Court of the United States for the Districts of Missouri.

171.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts

of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr Justice Miller.

---

93 A. J. Millenberger. vs. Pitts. in Error. Edwin G. Cook. | In error to the Fourth District Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Fourth District Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment

of the said Fourth District Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Swayne.

---

169 Henry S. Buckley vs. The United States. Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby Reversed - And that this cause be, and the same is hereby remanded to the said Court of Claims for

further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Swayne.

John Jones, Randolph H. Ramsay, & William G. Lauderman 1113. vs. Plffs in Error. The United States.	In Error to the Circuit Court of the United States for the Southern District of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Justice Clifford.

Monday January 19. 1874. Continued.

670 Jonathan Crews vs. Jeff. in Error. Isaac N. Brewer. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Clifford.

136. The United States vs. John Arwo. — Plaintiffs. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel - On consideration whereof it is the opinion of this Court, that the Circuit Court of the United States for the Southern District of New York

had jurisdiction in this case, & the court directs that this statement be certified to the said Circuit Court, as the only answer required to the several questions presented on the record.

Whereupon it is now here ordered and adjudged by this court that it, be so certified to the said Circuit Court.

per Mr Justice Clifford

The Woodman Tabbing Machine Company
311. vs Appellant.
Charles H. Guild, George A. Guild & Josiah F. Guild, as Charles H. Guild and Co.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of Massachusetts and on the motion of Mr. P. Phillips in behalf of counsel, and in pursuance of the stipulation on file it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby by consent of the parties reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the appellants conformable to the prayer of their bill of complaint.

per Mr Justice Clifford.

The Woodman Pebbling Machine Company. Appellant.
vs.
311 Charles H. Gould et al

Ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

Ex parte In the matter of the State Insurance Company of Missouri
10. original. Petitioner

Mr P. Phillips on behalf of Mr John J Morgan

asked and obtained leave to file petition for writ of mandamus in this cause to the Circuit Court of the United States for the District of Alabama.

Christian Eyster.
691. vs. Plff in Error.
Thomas & James N. Jaff.

Mr J. A. Mills filed motion for a writ of Supersedeas in this cause.

C H. Lilienthal
614. vs Plff in Error.
Thomas Harland et al.

On motion of Mr J. H. Ashton leave is heard & granted the Clerk to issue the mandate in this cause.

1911 Elmore B Clintenbeard et al. vs Plaintiffs in Error. The United States. — This cause was argued by Mr George Hoadley of counsel for the plaintiff in error, and by Mr Solicitor General Phillips of counsel for the defendant in error.

---

195 James Espy et al. vs. Pliffs. in Error The First National Bank of Cincinnati. — The argument of this cause was commenced by Mr George Hoadley of counsel for the plaintiffs in error, and continued by Mr T D Lincoln for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 20. 1874.

Pursuant to adjournment, the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Jas. H. McVeary, it is ordered that F. A. Sherman Esquire of Mount Pleasant State of Iowa, and John J. Thomasson Esquire of New York City be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. B.R. Curtis, it is ordered that Augustus L. Soule Esquire of Springfield State of Massachusetts be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

James Espy et al. vs. Pliffs. in Error. The 1st National Bank of Cincinnati.

195.

The argument of this cause was continued by Mr T. D. Lincoln of counsel for the defendant in error, & concluded by Mr George Hoadley for the plaintiffs in error.

Tuesday January 20th 1874 Continued.

197. James D. Walker vs. Piffin's Error. John J. Marks dal. | This cause was argued by Mr John E. Ward of Counsel for the plaintiff in Error, and by Mr T. J. Crittenden for the defendants in error.

---

199. William C. Zantzinger dal. vs. William Gunton et al. | The argument of this Cause was commenced by Mr F. Miller of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 21. 1874.

Pursuant to adjournment, the Court met this day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel H. Huddleston Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. McPherson it is ordered that William B. Matthews Esquire of Richmond State of Virginia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Wm Phillips Phillips it is ordered that Edward McGrady Esquire of Charleston State of South Carolina, be admitted to practice as an attorney and counsellor of this

---

On motion first made to the Court in this behalf by Mr Francis Kernan, it is ordered that Charles Hughes Esquire of Sunny Hill Washington County, and Isaac Mott Esquire of Glens Falls Warren County State of New York, be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.

On motion first made to the court in this behalf by Hon Robert Crozier it is ordered that Ebenezer C. Gough Esquire of Leavenworth State of Kansas be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

Wednesday January 21. 1874. Continued.

149	Wm. C. Garrison et al. vs. William Gunton et al.	Appellants.	The argument of this cause was continued by Mr. F. Miller of counsel for the appellants. The court declined to hear any further argument in the case.

151	The Grover and Baker Sewing Machine Comp'y. vs. The Florence Sewing Machine Company.	Pl'ffs. in Error.	(By special assignment.) The argument of this cause was commenced by Mr J. G. Abbott of counsel for the plaintiffs in error, continued by Mr A. L. Soule and Mr E. R. Hoar of counsel for the defendant in error, concluded by Mr B. R. Curtis for the plaintiff in Error.

200. Elizabeth Cropley vs. George Cooper et al Appellant

The argument of this cause was commenced by Mr W. D. Daniels of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 22. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion prisk made to the Court in this behalf by Mr Spicer and Attorney General Hill. it is ordered that Charles B. Rice Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. C. N. Potter it is ordered that Joseph E. Purnie Esquire of Yonkers and Stephen S. Marshall Esquire of White Plains Westchester County State of New York be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

---

200. Elizabeth Cropley vs. George Cooper et al. Appellant, | The argument of this cause was continued by Mr W. D. Davidge of Counsel for the appellant by Mr J. H. Bradley and Mr R. S. Merrick of Counsel for the appellees, & concluded by Mr Davidge for the appellant.

Charles M Conrad
201 vs Plff in Error
The United States.
and
Duncan F. Kenner
202 vs Plff in Error
The United States.

On the motion of Mr C. M. Conrad and consent of Mr Att'y General Hill. it is now here ordered by the Court that these cases be passed and be argued with No 253, when that case is reached in the regular call of the docket.

The Dollar Savings Bank
203 vs Plaintiff in Error
The United States.

This cause was argued by Mr R. K Curtis of Counsel for the plaintiff in Error and by Mr Att'y Attorney General Hill, of Counsel for the defendant in error.

Information being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 23rd 1874.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.
} Associate Justices.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E A Storrs, it is ordered that E. S. Eggleston Esquire and John M. Champlin Esquire of Grand Rapids State of Michigan, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the Court on this behalf by Hon B. F. Butler, it is ordered that John S. Mitchell Esquire of St Augustine State of Florida be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr S W. Pinney it is ordered that Daniel Hall Esquire of Watertown State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Silver Miller and Thomas R Smith. Pffs. in Error. vs. J. D. Morrow, Benjamin Williams, J. J. Pack et al. — In Error to the Supreme Court of the State of Tennessee.

59

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the motion of Mr P. Phillips in behalf of Mr Charles Kortrecht of Counsel for the plaintiffs in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs. per Mr Justice Clifford.

Samuel Kepburn
458. vs Pff. in Error.
The School Directors of the Borough of Carlisle. –

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr J. M. Carlisle and Mr J. C. McPherson in support of the same, and by Mr Joseph Casey in opposition thereto - Whereupon this court

not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Ex parte In the matter of Edward Lange — Original Petitioner. | On motion of Counsel it is ordered by the Court that this cause be, and the same is hereby assigned for argument on Monday next.

---

058. Charles E. Phillips vs Plff in Error, Saml McGehee et al. | Mr Joseph Casey submitted to the consideration of the Court the motion heretofore filed by him to rescind & annul the order of dismissal entered in this cause, and for leave to file transcript of record and docket the Case.

---

133. The Ship Sapphire &c. vs. Napoleon III. Emperor of the French. — Appellant.

On motion of Mr W. W. Boyce leave is hereby granted the Clerk to issue the mandate in this cause.

2014. Wilder D. Foster, assignee vs. Joseph H. Huckley et al. — Plff in Error.

Mr Jon A. Champlin of Counsel for the plaintiff in error having suggested the death of Wilder D. Foster assignee the plaintiff in error in this cause, moved the Court for an order excluding Noyes L. Avery, assignee of Alexander Blake a bankrupt, as the plaintiff in error. On Consideration whereof, it is now here ordered by the Court that Noyes L. Avery, assignee, be, and he is hereby substituted for said Wilder as the plaintiff

in error in this cause in place of Wilder D. Foster deceased as aforesaid, with liberty to prosecute this writ of error.

Noyes L. Avery, assignee of Alexander Blake, a bankrupt.
2011 vs. Plff. in Error.
Joseph H. Hackley et al.

Mr J. H Champlin of Counsel for the plaintiff in error suggested the death of Joseph H. Hackley, one of the defendants in error in this cause.

Noyes L. Avery, assignee &c.
2011 Plff. in Error.
Charles Hackley et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr E. A Storrs of Counsel for the defendants in error, with leave to Mr J. W.

Champlin of counsel for the plaintiff in error to file printed argument within forty days from this date.

Ex parte In the matter of the State Insurance Company of Missouri. Petitioner. | Petition for a writ of mandamus

in this cause was submitted to the consideration of the Court on printed arguments by Mr P. Phillips and Mr John F. Morgan in behalf of the petitioner. Whereupon this court not being now sufficiently advised of, and concerning what order to make in the premises took time to consider.

Christian S. Eyster. | In Error to the
vs. | Supreme
Thomas Goff et al. | Court of
the Territory of Colorado. —

On consideration of the motion filed in this cause by Mr J. A. Hills of counsel for the plaintiff in error for a writ of Supersedeas, it is now here ordered by the Court that a writ of Supersedeas be, and the same is hereby awarded to be directed to the Judges of the Supreme Court of the Territory of Colorado, and to the Judge of the District Court of the First Judicial District of Colorado Territory and to the Sheriff, in and for the County of Arrapahoe, commanding and enjoining the Judges of said Courts and the said Sheriff to stay any Execution issued or further proceedings on the judgment in this cause pending this writ of error.

205. Anson Eldred vs. Riff in Error. Andrew Sexton. | This cause was argued by Mr J. P. C. Calhoun of counsel for the plaintiff in error, and by Mr S. C. Pomeroy for the defendant in error.

206. Lewis Slowe vs. Appellant. The United States. | This cause was argued by Mr Reverdy Johnson of Counsel for the appellant, and by Mr Solicitor Gen'l Phillips of counsel for the appellee.

207. The Town of Queensbury vs. Plaintiff in Error. Isaac B. Culver. | This cause was argued by Mr F. Kernan of counsel for the plaintiff in error, and by Mr Charles Hughes for the deft. in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 26th 1874.

Pursuant to adjournment the Court met this day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that James Youngs Esquire of Charleston State of South Carolina and Samuel H. Bowman Esquire of Springfield State of Ohio be admitted to practice as attorneys and counsellors

of this court and they were sworn accordingly.

The Sioux City and Pacific Railroad Co.	In Error to the Circuit Court of the United States for the
191 vs.	
S. Iff. in Error. Harry G. Stout, by his next friend H. A. J. Stout.	

District of Nebraska. –

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments

lour in the Courts of the State of Nebraska.

per Mr Justice Hunt.

58.	The American Wood Paper Company vs The Fibre Disintegrating Company. and The Fibre Disintegrating Company vs The American Wood Paper Company.	Appeal and Cross appeals from the Circuit Court of the United States for the Eastern District of New York.
151.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby affirmed, each party to pay their own costs in this Court.

per Mr Justice Strong

197.	James D. Walker. vs Def in Error. John J. Marks, J.D. Farrell, & Washington Burnell. The Board of State Harbor Commissioners.	In error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

John K. Tiffany, surviving trustee of John F. Darby bankrupt.

179. vs. Appellant.

The Boatmen's Savings Institution.

Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Missouri for further proceedings to be had

Reversed in conformity with the opinion of this Court.
per Mr Justice Davis.

The Home Insurance Company of Brooklyn New York.
192. vs. Plff in Error.
Lucinda M. Dunn, administratrix of J. C. Dunn, deceased.

In Error to the First Judicial District Court of Hamilton County State of Ohio.

This cause came on to be heard on the transcript of the record from the First Judicial District Court of Hamilton County, State of Ohio, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court, that the judgment of the said Judicial District Court, and the judgment entered by the Court of Common Pleas

of Hamilton County in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said District Court with directions to said Court and to the said Court of Common Pleas to proceed no further in the suit. per Mr Justice Swayne.

Charles E. Phillips
658. vs. Pff. in Error
Scott, McGehee et al.

On consideration of the motion of Mr Joseph Casey, it is now here ordered by this Court that the judgment of the 21st of November last, docketing and dismissing this writ of Error, be and the same is hereby reversed and annulled, and that the plaintiff in Error have leave to file his cause, and have the same docketed in conformity to the rules of this Court, upon payment of costs.

per Mr Justice Clifford.

458. Samuel Kepburn vs Peff, in Error. The School Directors of the Borough of Carlisle.

Ordered by the court that the motion to dismiss this cause be postponed until the argument on the merits.

---

189. The Wilmington & Weldon Railroad Company vs Peff in Error. Gilbert Elliott, H. J. Smith and Peter E. Smith late partners as Gilbert Elliott & Co., - The Sea Board & Roanoke Railroad Co., The Petersburg Railroad Company, and The Tredegar Company.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was

argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

Mr Justice Clifford announced to the Bar, that the Court will take a recess from Friday next the 30th inst: to Monday the second of March next.

The Pigeon Steam Navigation Company. 222 vs. Plff in Error, Henry Minor et al.

On motion of Mr Williams it is ordered that this cause be passed, if moved on or before Friday the 30th instant.

65.	The Steamtug "Adelia" &c vs. George Jackson, owner of the Barge "Alaska."	Appellant	On motion of Mr. Phillips on behalf of counsel

Leave is hereby granted the Clerk to issue the mandate in this cause.

8-orig.	The State of Florida vs. E. C. Anderson Jr. et al.	Complainant	Mr. H. H. MacFarland moved and obtained leave to file the petition of Helen Maria Boise et al, to be made parties defendant, & for leave to come in & set up their rights in this cause.

9	Ex parte In the matter of Edward Sanger.	Original Petitioner	The argument of this cause was commenced by Mr. N. K. Fenno in behalf of the petitioner.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 27th 1874.

Pursuant to adjournment, the Court met to day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr D. K. Armour, it is ordered that Aloysius J. Kane Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte In the matter of Edward Lange. Original Petitioner. | The argument of this cause was continued by Mr Assistant Attorney General Hall in opposition to the petition, and concluded by Mr Arnoux in favor of the same: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Louis H. Hershfield et al. Appellants, | This
208 vs. | cause
Joseph Griffith et al | was
submitted to the consideration of the Court on the record & printed arguments by Mr L. Trumbull of Counsel for the appellants, and by Mr N. Wilson and Mr J. H. Ashton for the appellees.

Tuesday January 27, 1874 continued

Alexander Robertson et al, Appellants,
Doe ex. Caroline Curson D.

The argument of this cause was commenced by Mr Edward McGrady, junior, of counsel for the appellants, and continued by Mr James Lowndes for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 28 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley &
Ward Hunt.
} Associate Justices

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. T Wallis, it is ordered that J. S. D. Morrison Esquire of Belleville State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday January 28th 1857 pt. continued

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that Charles Townsend Esquire of Athens State of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Ex parte In the matter of Edward Lange. Original. — Petitioner.

On consideration of the petition filed in this cause, and of the arguments of counsel as well against as in support of the same, it is the opinion of this court that the petitioner is entitled to be discharged from his imprisonment, and that the writ of habeas corpus heretofore ordered in the case may be forthwith delivered to the counsel, or authorized agent of the petitioner.

Per Mr Justice Clifford.

Dissenting.
Mr Jus. Clifford
" " Wayne.

Wednesday January 28 1857 Continued

140.	The Steamship "Favorite" &c vs. The Union Ferry Company of Brooklyn	Appellant.

On motion of Mr Benedict leave is hereby granted the Clerk to issue the mandate in this cause.

209.	Alexander Robertson et al. vs. Caroline Carson.	Appellants

The argument of this cause was continued by Mr James Lowndes and Mr H. H. Boyd of counsel for the appellee, and concluded by Mr Edward McGrady Senior of counsel for the appellants.

219.	James H. Rees vs The City of Charleston.	Appellant

Ordered by the Court that this cause be submitted for No. 212.

---

210. The Schooner Mary H. Banks vs The Steamer "Falcon" The O & K R R Co. Appellant. Claimants.

This cause was argued by Mr W. C. Schley of counsel for the appellant and by Mr S. T. Wallis and Mr J. H. B. Latrobe of counsel for the appellee.

---

211. Oliver T. Morgan Exr. vs Wilkins Gay. Deft in Error.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr J. A. Campbell, and Mr D. G. Campbell of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

---

219. James H. Rees vs. Appellant, The City of Hakestown. (Substituted for No 212) The Argument of this Cause was commenced by Mr Daniel Hall of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to Morrow at twelve o'clock

Thursday January 29. 1874.

Pursuant to adjournment, the Court met to-day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Hill it is ordered that H. Howard Wait Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. —

On motion first made to the Court on this behalf by Mr. J. M. Carlisle it is ordered that Edward M. L'Engle Esquire of Jacksonville State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

---

219 James H. Rees vs. The City of Waterloun, Appellant

(Substituted for No 213) The argument of this cause was sentenced by Mr Daniel Hall of Counsel for the appellee, and submitted on printed argument, by Mr J. W. Penney and Mr D. K. Tenney of Counsel for the appellant.

---

213. The Steamship Pennsylvania &c. Appellant
vs.
The Bark "Mary A. Troop" &c.

This cause was argued by Mr W. A. Butler of counsel for the appellant and by Mr E. D. Benedict for the appellee.

---

214. Domingo Vicente Peralta et al Appellants
vs.
The United States.
and
215. Antonia M. Peralta et al Appellants
vs.
The United States.

Ordered by the Court that these cases be, and the same are hereby passed for the present.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 30. 1874.

Pursuant to adjournment the Court met this day at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Geo. F. Edmunds it is ordered that E. C. Ward Esquire of Parsons State of Kansas be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. K. Mitchell, it is ordered that John M. Thompson Esqure of Butler State of Pennsylvania and James McNaught, Esqure of Seattle Washington Territory, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly. -

---

On motion first made to the court in this behalf by Mr P. Penn Clarke, it is ordered that N. M. Hubbard Esqure of Cedar Rapids State of Iowa be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Ex parte In the matter of Edward Lange Original. - Petitioner | Petition for writs of Habeas Corpus and Certiorari.

In the matter of the application for discharge of Edward Lange Ex parte,

the writ of habeas corpus directing the United States Marshal for the Southern District of New York to produce the body of said Edward Lange before this Court and to certify the cause of his detention or imprisonment, having been duly issued and served herein. Now the said Marshal having produced the body of said Edward Lange and having certified that said Lange is detained in his custody, under and by virtue of the sentence of the Circuit Court of the United States for the Southern District of New York, which said sentence is in the following words, viz:

At a stated term of the Circuit Court of the United States of America for the Southern District of New York in the second Circuit, held in the United States Court Rooms in the City

of New York on Saturday the Eighth day of November in the year of Our Lord One thousand Eight hundred and seventy three.

Present.

The Honorable Charles L. Benedict, Circuit Judge.

The United States vs Edward Lange } Ordered that the sentence pronounced in the above entitled cause on the 3rd day of November, 1873, be, and the same is hereby vacated and set aside.

The court thereupon proceeds to pass judgment anew and remands the prisoner, Edward Lange to be imprisoned for the term of one year."

and the cause of said imprisonment having been duly inquired into by this court upon the return

of said writ of habeas corpus and writ of certiorari heretofore issued herein, and counsel having heretofore been heard on behalf of the United States and on behalf of said petitioner, and due consideration having been had it is hereby ordered and adjudged that the imprisonment of said Edward Lange, under and under of said Circuit Court of the United States, in and for the Southern District of New York is without authority of law, and that said Edward Lange is entitled to have his liberty. Whereupon it is hereby ordered and adjudged that said Edward Lange be, and he hereby is discharged from said imprisonment.

William A. Coit 67 vs Appellant Edward Robinson et al.	The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr G. A. Seixas in favor of the same, and by Mr J. H. Moore on behalf of Mr Charles Tracey, in opposition thereto. Whereupon this court not being now sufficiently advised of and considering what order to render in the premises took time to consider.

Mississippi & Tennessee Railroad Company. 127 vs Appellant John C. Orr.	On motion of Mr Durant, Leave

is hereby granted the Clerk to issue the mandate in this cause.

	Edgar Mann, Andre Dumford, & Rosina Dumford.	Appeal from the Circuit Court of the United States
360	vs.	
	George A. Talley.	

for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr. T. J. Durant, and stipulation on file, it is now here ordered adjudged and decreed by this Court, that this appeal be & the same is hereby dismissed with costs.

per Mr Justice Clifford

The Cedar Rapids & Missouri River Railroad Company et al. Plffs in Error.
1113. v.
Milton Courtright

The motion to dismiss this cause was submitted to the consideration of the court on the record and printed arguments by Mr Platt Smith in support of the same, and by Mr Isaac Cook in opposition thereto. with leave to Mr Mathrow to file reply brief in favor of motion on or before the 16th of February next.

The State of Florida ex rel. Complainant
v.
C. C. Anderson Jr. et al.

Gideon Ma. Ed Bocage - vain et al, having filed a petition to be made parties defendants in this cause, and it appearing that the petitioners have an interest in the case, the Court allow their solicitor

to be heard on the demurrer to the bill of complaint, and in favor of their petition.

The State of Florida
8-orig: vs Complainant,
E.C. Anderson Jr. et al.

The argument on the demurrer to the bill of complaint, in this cause was commenced by Mr H.R. Jackson of counsel for the defendants, continued by Mr D.P. MacFarland on behalf of his clients on their petition to be made defendants by Mr H. Bisbee jr. of counsel for the complainant, in opposition to the demurrer, & concluded by Mr H.R. Jackson in support of the demurrer.

510	The New Jersey Railroad & Transportation Company. vs J. B. Pollard et ux	In error to the Circuit Court of the United States for the District of New Jersey.

On consideration of the motion filed in this cause by Mr Isaac N. Souder of Counsel for the plaintiff in error, It is now here ordered by this Court that a writ of Supersedeas be, and the same is hereby awarded to be directed to the Marshal of the United States for the District of New Jersey, commanding and enjoining him and his deputies to stay every and all proceedings upon the writ of fieri facias issued from the Circuit Court of the United States for the District of New Jersey on a judgment obtained in said Circuit Court by Jerome B. Pollard

and Sarah A Pollard his wife, against the New Jersey Railroad and Transportation Company. and that he return the said Execution with this supersedeas to the said Circuit Court. And it is now here further ordered by this court, that the judges of the said Circuit Court quash the said writ of execution to be quashed. Per Mr Justice Clifford.

Order

Ordered that Mandates if applied for by the proper parties, may issue after to-day, the same as at the close of a term.

Proclamation being made the Court is adjourned until Monday the second day of March next at, twelve o'clock.

Monday March 2nd 1874

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John A. Nicolay Esqre Marshal.
Daniel Tenley Middleton Clerk.

Proclamation being made the Court is opened.

James H. Rees, Appellant. vs. The City of Milwaukee. | Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Northern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting. per Mr Justice Hunt.
Mr Justice Clifford }
" " Swayne. }

---

111. Joseph J. Thompson vs. John Whitman — Pltff. in Error. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York

per Mr Justice Bradley

1777 Alfred H Knowles et al Plff in Error. vs. The Lagrange Gas Light & Coke Company. | In error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota. & was argued by counsel. On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Bradley.

The Dollar Saving Bank
203 vs. Error to the Circuit
The United States. Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and

adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. Dissenting } per Mr Justice Strong. Mr Justice Bradley.

George Nugent. (210 U.S. Pltff in Error	In Error to the Circuit Court of the United States for the Northern District of Illinois.
The Board of Supervisors of Putnam Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause

be, and the same is hereby remanded to the said Circuit Court with directions to overrule the defendants demurrer.

Dissenting: per Mr Justice Strong
Mr Justice Davis
" " Miller

---

50. William Mond jr vs. The Philadelphia, Wilmington & Baltimore Railroad Company, & J. Clarke and H. B. Scheltree

Appeal from the Circuit Court of the United States for the District of Delaware

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree

of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field -

Ex parte In the matter of Edward Lange. Petitioner

Judgment having been entered in this cause on the 30th of January last, discharging the petitioner from custody, and the opinion reserved. the Court now delivers its opinion, in conformity to said judgment.

per Mr Jus. Miller.

Dissenting
Mr Justice Clifford
" Strong.

Monday March 2nd 1874 continued

Charles J. Carpenter, trustee of Sarah S. McGamant.	In Error to the Supreme Court of the State of Missouri
188 vs Plff. in Error.	
Charles S. Ramels.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 3rd 1874.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

	Ephraim S. Sawyer,	Appeal
1874.	vs. Appellant	from the
	Henry Prickett and	Circuit
	Charlotte Prickett.	Court of
		the United

States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Jus Hunt.

Tuesday March 3rd 1874 Continued

637 The United States vs Alexander Caldwell and Alexander Caldwell 638 vs The United States

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the Claimants petition.

per Mr Justice Hunt.

153

Waring Bro's & Co., Maria Simons, J. V. Bowley, Ex'x. vs. Edmund Bowley her husband, & A. V. Dawson. vs. Pltffs. in Error. Dabney Morgan & Co. The Bank of the State of South Carolina, Thomas R Waring, Chas. R. Furman, and The State of South Carolina

In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina and was argued by counsel On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Bradley.

577 The Chicago City Railway Company vs Appellant / Henry R. Allerton. | Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley

478.	Moses H. Gray vs Appellant Willard E Rollo, assignee in bankruptcy of the estate of the Merchants Insurance Co.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs.

per Mr Justice Bradley.

Oliver P. Morgan. Executor of the succession of Oliver J. Morgan deceased. 911 vs. Jeff. in Error. William Gay.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in accordance with the opinion of this Court.

per Mr Justice Strong.

207. The Town of Queensbury vs. Isaac S. Culver. | In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Strong.

John R. Bullard Trustee of Edmund H. Bishop a bankrupt vs. Sleff. in Error. The National Eagle Bank.	On writ of error, and certificate of division in opinion between the Judges of

652

the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this

court that the questions certified must be answered in the negative. It is therefore ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. Thereupon it is now here ordered & adjudged by this court that it be so certified to the said Circuit Court.
Dissenting per Mr Justice Strong, Mr Jus. Clifford.

Sidney L. Chaffee & Alice P. Hutchins. vs. Pfffs. in Error.
103 The United States.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was ar-

gued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Field.

The Baltimore and Potomac Railroad Co. vs. Pltff in Error.
555. The Sixth Presbyterian Church.

On consideration of the motion to dismiss this cause and of the arguments of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Miller.

Tuesday March 3rd 1874. continued

George A. Ward & J. V. Clarke		Appeal
164 vs.	Appellants.	from the
James B. Johnston &		Circuit
Adam Norrie Executors		Court of
of James Boorman.		the Unit
		ed States

for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller.

William C. Zantzinger Harriet A. Zantzinger, Jane A. Zantzinger, Annie B. Zantzinger & Daniel F. Zantzinger		In Error to the Supreme Court of the District of Columbia.
199	vs.	
William Gunton and The Bank of Washington	Appellants.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia. And was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Miller.

Ex parte, In the matter of the State Insurance Company of Missouri.
10. Original. Petitioner.

On consideration of the petition for a writ of mandamus in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby denied.
per Mr Justice Miller.

Albert Klein
181. vs. Plff in Error
Nathan C. Russell

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and

was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York

Dissenting, Mr Justice Field
" " Hunt

per Mr Jus Swayne.

Elizabeth Cropley
200 vs Appellants
George Cooper et al,
legal representatives
of William Cooper
deceased & John
Cooper & Joseph Cooper.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from

the Supreme Court of the District of Columbia and was argued by Counsel. On consideration where of it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with Costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr Justice Swayne

The Schooner "Mary E. Banks" Wm H. Bodine clat. Clmts. (vs.) Appellants.
The Steamer Falcon. The Balto and Ohio R.R. Co. Clmts.

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court. per Mr Justice Swayne

---

The Grover & Baker Sewing Machine Co. The Wheeler & Wilson Sewing Machine Co. & The Singer Manfg Co. vs. Piffs. in Error. The Florence Sewing Machine Co.

In Error to the Supreme Court of the State of Massachusetts.

1151

Tuesday March 3rd. 1874 Continued.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby affirmed, with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts. Dissenting, Mr Justice Clifford, Mr Jus Miller " " Bradley.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Wednesday March 4th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Honorable Morrison R. Waite having produced Letters Patent from the President of the United States, which were read in open Court, in the words and figures following to wit:

Ulysses S. Grant.
President of the United States
of America.

To all who shall see these
Presents, Greeting:

Know Ye That reposing spe
cial trust and confidence in the
wisdom, uprightness & learning
of Morrison R. Waite of Ohio,
I have nominated, and by, and
with the advice and consent of
the Senate do appoint him to
be Chief Justice of the Supreme
Court of the United States
and do authorize and empower
him to execute and fulfil the
duties of that office according
to the Constitution and laws
of the United States, and to Have
and to Hold the said office with
all the powers privileges and
emoluments to the same of
right appertaining unto him
the said Morrison R. Waite, du
ring his good behavior.

In testimony whereof, I have caused these Letters to be made patent, and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the twenty first day of January in the year of our Lord One thousand Eight hundred and twenty-four and of the Independence of the United States of America the ninety-eighth.

U. S. Grant

By the President:
Hamilton Fish
Secretary of State.

And thereupon the following oath of office was administered to him in open court by D. W. Middleton Clerk of the Court

I Morrison R. Waite do sol-

Emily Lucas that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Chief Justice of the Supreme Court of the United States according to the best of my abilities and understanding agreeably to the Constitution & Laws of the United States - So help me God.

M. R. Waite

Subscribed and sworn to before me this fourth day of March A.D. 1874

D. W. Middleton
Clerk Sup Court U.S.

On motion first made to the Court in this behalf by Hon William M. Evarts it is ordered that Charles F. Sanford Esquire

of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. S. S. Cox, it is ordered that Lucius P. Marsh and Milton J. Southard Esquires of Zanesville State of Ohio be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.-

---

Theodore Cook, Alexander H. McGuffey, and James N. Tilley, Assignees of Benjamin Homan Jr. a bankrupt.		Appeal from the Circuit Court of the United States
176	vs. Appellants-	
Jeremiah C. Tullis-		

for the Southern District of Ohio -

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

F. Barlemeyer Sr. Plff in Error, vs. The State of Iowa. | In Error to the Supreme Court

175.

of the State of Iowa.—

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court

that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs

per Mr Justice Miller.

87 Roland G. Mitchell vs. Richard N. Dilgman, Appellant | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby reversed with costs. And that this cause be,

and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint.

Dissenting: per Mr Justice Clifford
Mr Jus. Swayne
" " Strong.
" " Bradley.

Mr Justice Davis took no part in the decision of this cause.

---

340. Roland G. Mitchell vs. Richard A. Tilghman. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On con-

sideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint.

Dissenting: per Mr Justice Clifford
Mr Jus. Swayne,
" " Strong,
" " Bradley.

Mr Justice Davis took no part in the decision of this cause.—

Elmore B. Kinkenbeard
Marmaduke Dodsworth, &
Louis Schingen.
1874 vs. Pffs. in error.
The United States.

In Error to the Circuit Court of the United States, for

the Southern District of Ohio -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, the court being equally divided in opinion it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Reversed & remanded

---

567. John H. Tappan, Coll. &c. vs. The Merchants National Bank of Chicago. - (Appellant.) (specially assigned.) The argument of this cause was commenced by Mr. J. K. Edsall of counsel for the appellant & continued by Mr. M. W. Fuller for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 5th 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr James M. Carlisle it is ordered that William M. Randolph Esquire of Memphis State of Tennessee be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr James M'Naught, it is ordered that Henry E Buckell Esquire of Boise City, Idaho Territory, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr D. J. Durant it is ordered that J. H. Hauser Esquire of Fond du Lac, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. J. Phelps it is ordered that H. Henry Powers Esquire of Morrisville State of Vermont be admitted to practice as an attorney counsellor of this court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr M. H. Fuller it is ordered that Lewis H. Bisbee Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

567 John V. Tappan, Coll.r &c. vs. The Merchants National Bank of Chicago. Appellant.

The argument of this cause was continued by Mr M. H. Fuller of Counsel for the appellees, and concluded by Mr J. N. Edsall for the appellant

---

311 The Franklin Insurance Co. vs. Elizabeth Seaver. Piff in Error.

The argument of this cause was commenced by Mr E. S. Phelps of counsel for the plaintiff in Error, continued by Mr H. H. Powers of Counsel for the defendant in error

and concluded by Mr Phelps for the plaintiff in error

Oscar A. Burton
284. vs. Pff in Error.
William S. Driggs.

Mr E. J. Phelps suggested the death of William S. Driggs the defendant in error in this cause and moved the Court for leave to enter the appearance of E. R. Hard, administrator of said William S. Driggs deceased, as the party defendant in error in this cause - On consideration whereof it is now here ordered by the Court that the said E. R. Hard, administrator of the said William S. Driggs deceased as aforesaid, be, and he is hereby entered and made the party defendant in error in this cause, with liberty to resist this writ of error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock,

---

Friday March 6th 1874

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices,

John G Nicolay Esqure Marshal
Daniel Wesley Middleton Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that J. A. Elmore Esqure of Montgomery State of Alabama and C. S. West Esqure of Austin State of Texas be admitted to practice as attorneys and

Counsellors of this court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr F. J. Durant it is ordered that Wesley Ogden Esquire of Austin State of Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

---

717 The Board of Commissioners of Boise County, and Ben. F. Davis. vs. Pfff in Error, John Gorman. - | Mr Prickett of Counsel for plaintiff in error

filed motion for a writ of Supersedeas in this cause.

Christian Barry
113 vs Appellant
The Pennsylvania
Salt Manufacturing
Company.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the stipulation of counsel for the respective parties on file, & on the motion of Mr. H. Baldwin jr. of counsel for the appellant, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be and the same is hereby reversed with Costs. And that this cause be and the same is hereby remanded to the said Circuit Court with

directions to dismiss the complainants bill.

per Mr Chief Justice Waite.

The First National Bank of Washington et al
73. vs. Plaintiffs in error
The State of Texas.

On motion of Mr T. J. Durant

It is ordered that this cause be assigned for argument on the 24th instant

---

Thomas J. Burke
112. vs. Plaintiff in Error.
Louis Fregel et al.

On motion of Mr T. J. Durant it is ordered that this cause be assigned for argument on the 9th instant.

Ethan Allen
251. vs. Plaintiff in Error.
John Gaddis et al.

On motion of Mr T. J. Durant it is ordered that the motion to dismiss this cause be submitted on Friday next

---

The United States 1123 vs. Appellants. C. V. Woodruff et al. and Reese Elgee Jansson Executrix &c. 1124 vs. Appellant The United States.	Ordered by the Court that the motion filed by Mr. T. J. Durant for leave to substitute E. T. Parker pub.

lic administrator of John K. Elgee deceased in these cases for Mrs Reese Elgee Jansson removed, be and the same is hereby set for argument on Friday the 20th instant.

Ex parte J. S. Robinson Petitioner	Mr T. J. Durant moved the

Court for leave to file motion for a rule to show cause why a writ of mandamus should not issued to the Judge of the District Court of the United States for the Western District of Arkansas - Whereupon this Court not being now here sufficiently

advised of, and concerning what order to render in the premises took time to consider.

---

224 | The Merchants Mutual Insurance Company. vs. Plff. in Error. Baring Bro's & Company. | By consent of Counsel it is ordered that this cause be substituted for No 212. for which No 219 had heretofore been substituted.

---

216 | The United States vs. Appellants. The Steamer "Morrell" &c. | This cause was argued by Mr Asst. Attorney General Hill of counsel for the appellant, and by Mr J. St. Hauser of Counsel for the appellee.

---

217 Israel M Nunez et al vs Plffs in Error. Joseph Daniel

This cause was argued by Mr R. J. Moses jr. of counsel for the plaintiffs in error and submitted on printed Arguments by Mr John D Pope and Mr R. McF. Smith of Counsel for the defendant in error.

---

234 The Merchants Mutual Insurance Company vs Plff in Error Baring Brothers & Co.

(Substituted for No 212.) This argument of this cause was commenced by Mr W. M. Evarts of counsel for the plaintiff in error, continued by Mr Duncan S. Campbell and Mr P. Phillips of Counsel for the defendant in error and concluded by Mr Evarts for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 9th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt

} Associate Justices.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The City of Davenport and John Kaufman Marshal of said City, Appellants. vs. David Dows. —

Appeal from the Circuit Court of the United States for the District of Iowa.

100

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity with the opinion of this court.

per Mr Justice Davis.

Anson Eldred
vs. Pltff in Error
Amos Sutton

In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

of Wisconsin and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

	Lewis Stone		Appeal from
206.	vs.	Appellant	the Court
	The United States.		of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

Monday. March 9th 1874. Continued.

The State of Florida ex rel: Complainant, vs. C. C. Anderson Jr., et al. | This cause came on to be heard on the demurrer of the respondents to Complainants bill, and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that said demurrer be, and the same is hereby overruled.

per Mr Justice Clifford

Ex parte In the matter of W. C. Hamuth. Petitioner | On consideration of the petition for the allowance of an appeal in this cause, or in the alternative a writ of mandamus to compel the Judge of the Court below to allow an appeal: it is now here ordered by the Court that said petition be, and the same is hereby denied, on the ground that there is no final decree subject to the law in the transcript.

per Mr Justice Clifford.

92 — Eugene Lavon et al — vs. Plffs. in Error. E. Rochereau & Co. — Ordered by the Court that the petition for a rehearing in this cause, be and the same is hereby denied with leave to present a new petition giving due notice to the opposite party.

---

600 — Samuel Allen — vs. Appellant The Northwestern Union Packet Co. — Ordered by the Court that the decree of affirmance entered in this cause on the 8th day of December 1873, be, and the same is hereby Rescinded and annulled.

---

600 — Samuel Allen — vs. Appellant. The Northwestern Union Packet Co. — Ordered by the Court that this cause be re-argued on the question whether the damages shall be appor-

bond - (both parties being in fault.) per Mr Justice Clifford.

Ex parte In the matter of Henry S. Hyde. 12 orig. - Petitioner | On consideration of the petition for a writ of Mandamus in this cause, the Court being equally divided in opinion it is now here ordered by the Court that said petition be, and the same is hereby denied. -

---

Ex parte In the matter of James S. Robinson. 11 original. - Petitioner. | On consideration of the motion of Mr F. J. Durant leave is hereby granted him to file a petition for a rule on the judge of the District Court of the United States for the Western District of Arkansas, requiring him to show cause why a writ of Mandamus should not issue &c. -

---

Monday March 9. 1874. Continued

Ex parte In the matter of James S. Robinson. Petitioner

On consideration of the petition filed in this cause by Mr T. J. Durant of counsel for the petitioner, it is now here ordered by the Court that a rule issue to the Judge of the District Court of the United States for the Western District of Arkansas, requiring him to show cause on or before the 10 day of April A. D. 1874, why a writ of Mandamus should not issue to him, directing him to revoke his order of June 28th 1873, disbarring petitioner; and to restore him to the roll of attorneys and counsellors practicing in said Court.

per Mr Ch Jus. Waite.

The Cedar Rapids & Missouri River R.R.Co. vs. Jeffs. on Error. Motion Overruled.

On consideration of the motion to dismiss this cause and of the argument of Counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.—

per Mr Chief Justice Waite.

Mr Attorney General Williams announced the death of Ex President Fillmore and Mr Chief Justice Waite responded, announcing that the Court out of respect to the memory of the deceased would adjourn without transacting any further business.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday. March 16 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Charles A. Sherman Esquire of Watertown State of New York be admitted to practice as Attorney Counsellor of this Court. He was sworn accordingly.

92.	Eugene Lewis et al. vs. Plffs. in Error. E. Rochereau et ab.	Mr T. J. Durant filed petition for a re hearing in this cause, with notice to Counsel for the plaintiffs in error.

362.	The Citizens Fire, Marine and Life Insurance Compy. vs. Plaintiff in Error. Geo. Hoffman, Frank Curtis, Curtis P. Upson, & John Griffiths, late partners as Hoffman Curtis & Co.	In Error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and on the motion of Mr J. M. Carlisle of counsel for the plaintiffs in error, it is now here ordered

and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice.

The Sloop "Martin Hightkoop" her tackle &c., Ezra Fitch, Simeon Fitch, and H. L. Fitch, claimants
vs.
John Murphy, Abraham Thalford, & Isaac Willetts, administrators of E. S. Willetts, deceased. —

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of counsel for the respective parties on file, it is now here ordered adjudged &

292.

decreed by this court, that this appeal be, and the same is hereby dismissed, each party paying their own costs.

per Mr Chf Jus. Waite

Wm C. Sale et al. heirs &c. vs. New York Life Insurance Co. Appellants. | Mr B.R. Curtis moved the Court to assign this cause for argument immediately after No 228 - Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Thomas J. Burke vs. Louis Fregre et al. In Error. | This cause was argued by Mr P. Phillips of counsel for the plaintiff in error, and by Mr T. J. Durant for the defendant in error.

---

212. Vernon K. Hanson vs. Plff in Error. Mary McDougall Hollidins, wife of William Von Phul, et al. — This cause was argued by Mr J. J. Durant of counsel for the defendants in error and by Mr Duncan S. Campbell for the plaintiff in Error.

---

222. The Oregon Steam Navigation Company vs. Plff in Error. Henry Winsor et al. This cause was argued by Mr George H. Williams of counsel for the plaintiff in error, and submitted on printed arguments by Mr Leander Holmes for the defendants in Error.

---

225. Bolivar S. Head vs. Plff in Error, The Curators of the State of Missouri. This cause was submitted to the consideration

of the court on printed argument by the plaintiff in error. T. T. No counsel appearing for the defendant in error.

---

226. The City of Memphis vs. T. C. Brown et al. Appellant | The argument of this cause was commenced by Mr John D. McPherson of counsel for the appellant, and continued by Mr S. Phelps of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 11th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

---

111. Joseph J. Thompson vs. John Whitman. — Pff. in Error. | On motion of Mr. J. D. McPherson leave is hereby granted the Clerk to issue the Mandate in this cause.

---

226. The City of Memphis vs. T. E. Brown et al. Appellant

Ordered that one hour additional time be allowed Counsel on each side in the argument of this cause.

---

226. The City of Memphis vs. T. E. Brown et al. Appellant

The argument of this cause was continued by Mr P. Phillips, and Mr S. Tibey of Counsel for the appellees, and concluded by Mr. W. M. Randolph for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 12th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.

} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J McCarthis it is ordered that Hill Burgwin Esquire of Pittsburg, State of Pennsylvania be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. H. Mitchell it is ordered that J. H. Kirker Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Mutual Life Insurance Company of New York.

228. vs. Plff in Error
T. Kinnicon Exr &c. &c
and
Wm. E. Dake et al
heirs &c.

(No 228, substituted for 227.)

It is now here ordered by the Court on the application of Counsel that these Cases be argued together and that

716. vs. Appellants
The New York Life Insurance Company.

four hours be allowed the Counsel on each side in the argument. Eight hours altogether, to be divided as Counsel may arrange among themselves.

---

228. The Mutual Life Insurance Company of New York
vs. In Error.
P. Hamilton Exec^r. &c.
and
Wm. E. Dake et al heirs &c.
710. vs. Appellants.
The New York Life Ins Co.

The argument of these causes was commenced by Mr M. E. Green of Counsel for the plaintiff in Error and continued by Mr Charles F. Clinford of Counsel for the defendant in error in No 228.

---

184. Ephraim S. Sawyer
vs. Appellant
Henry Pickell et al.

On motion of Mr H. Carpenter, leave is hereby granted the Clerk to issue the mandate in this cause.

Mr Carpenter, President pro-tempore of the Senate of the United States, appeared in Court & invited the Court and its officers to attend in the Senate Chamber tomorrow at half past twelve o'clock to take part in celebrating the funeral services of Hon. Charles Sumner, deceased.

The Court declared their intention to be present, on that occasion, and thereupon adjourned to Monday next.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 16th 1841. –

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Cutler
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by P. Phillips Esquire it is ordered that Hannibal Hamlin Seavey Esquire of Bangor State of Maine be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

The Steamship Pennsylvania her Engines &c. The National Steamship Company Claimants. Appellants.
913. vs.
Jacob P. Troop, Alfred Troop, Howard D. Troop, Christopher D. Pickles, and Geo. R. Cain, owners of the Bark Mary A. Troop - Libellant. -

Appeal from the Circuit Court of the United States for the Eastern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the said Circuit

Court with directions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Strong.

---

106. Spencer Trask vs. Constantine Maguire, The St. Louis & Iron Mountain R.R. Co. Thomas Allen, J. H. Taylor, & J. B. Allen, Samuel Copp, S. Gandy, & Trask & H. G. Marquand. — Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be,

and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States, for the Eastern District of Missouri.-

per Mr Justice Field.

The Travellers Insurance Company.- | In Error to the Circuit Court of the United States for the District of Vermont.

34. vs. Plaintiff in error.
Elizabeth Seaver.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this

cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a new trial.

per Mr Justice Miller.

The State of Florida & orig[l] cs. Complainant
C. C. Anderson Jr. D. P. Holland et al Defendants

In the matter of the petition of Boisseain et al., to be made parties defendants.

On motion & reading the petition filed in this cause by Mr H. M. MacFarland praying that Gideon Maria Boisseain et al, be made parties defendants in this cause, and of the argument of counsel thereupon had, it is now ordered by the Court that the bondholders represented in their petition by their Solicitor, Mr

MacFarland, have leave to file such pleadings in the case, as they may be advised are necessary to protect their rights, subject to the demurrer or exceptions as the case may be, of the other parties in the case.

per Mr Justice Clifford.

677 William H. Coit 2d Appellant. / Edward Robinson Enoch Chamberlain. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal

be, and the same is hereby dismissed for the want of jurisdiction.

Dissenting — per Mr justice Clifford

Mr Jus Bradley
" " Miller.

The Board of Commissioners of Boise County and Ben T. Davis — Pltfs in Error. vs. John Forman. — Error to the Supreme Court of Idaho Territory.

717

The plaintiffs in Error, move in this cause.

1. For the allowance of a Supersedeas, and

2. For a writ which shall command the Marshal of the Territory to restore Ben T. Davis to the Office of Assessor and Tax Collector of Boise County, from which he has been removed by the execution of the judgment in the Court below.

They claim that, before

the judgment had been enforced by the execution, it had been stayed by a supersedeas. If this claim is supported by the facts, no new supersedeas is now necessary. That already obtained will operate to stay any further proceedings which may be had under the judgment.

The real object of this motion is to avoid the effect of the alleged improper execution of the judgment and restore Davis to his office. Such a motion cannot be entertained, except after reasonable notice to the opposing party. No such notice has been given in this case. This motion is therefore overruled, but without prejudice to its renewal after reasonable notice to the defendant in error. In the event of its renewal, the plaintiff in error, in order to obtain the relief asked will be required to show, to the sat-

affection of the court that the judgment below was in fact executed after they had become entitled to a stay of proceedings.

per Mr Chief Jus. Waite.

	The Gaylord Iron and Pipe Company	In Error to the Circuit Court of the United States for the Southern District of Ohio.
531.	vs.	
	Peiffs. in Error.	
	Thomas H. Eardley.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr R. T. Merrick, counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

Monday, March 16th 1874. Continued

1874. Simon B. Chittenden et al. vs. Plaintiffs in Error. The United States. | On motion of Mr K. T. Merrick leave is hereby granted him to submit petition for a rehearing in this cause.

Mar 25. John C. Underwood et al. vs. Plffs. in Error. William C. F. McVeigh. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr P. Phillips in support of the same, and by Mr S. F. Peach in opposition thereto: Whereupon this court not being now sufficiently advised of, and concerning what order to render in the premises, took time to consider. —

---

251. Ethan Allen vs. Pltf. in Error. John Tadlow et al. | The motion to dismiss this cause was submitted to the consideration of the Court on printed argument by Messrs Durant & Horner in support of the same. Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

---

92. Eugene Lovell vs. Pltf. in Error. C. Richeaux et al. | On motion of Mr. T. J. Durant it is ordered granted him to file petition for stay of proceedings in this cause.

Monday March 16th 1891 continued

The Mutual Life Insurance Company of New York
228. U.S. Writ of Error.
F. Hamilton Exr. &c.
and
Wm. C. Tilden Exr. &c.
vs.
The New York Life Insurance Company.

The argument of these causes was continued by Mr Charles F. Sanford of counsel for the defendant in error in No. 228.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday March 17th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices.

John F. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The Mutual Life Insurance Company of New York, Pl'ff in Error.
vs
228. P. Hamilton Ex'r &c. — and

The argument of these causes was continued by Mr. P. Phillips of Counsel for the appellants, & by Mr. J. A. Garfield

Tuesday March 17th 1874 Continued

William E. Fales et al heirs &c.		and Mr B. P. Curtis of counsel for the appellee and continued by Mr P. Phillips for the appellants in No 716.
716.	vs	
The New York Life Insurance Company.	Appellants.	

Proclamation being made the Court is adjourned until to morrow at ten o'clock.

Wednesday March 18th A.D. 1814.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honourable Morrison R. Waite Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Hesley Middleton Clerk.

Proclamation being made the Court is opened.

---

227. The United States in Error. George Jonas.

This cause was argued by Mr. Asst. Attorney General Hill of Counsel for the plaintiff in Error, and by Mr. Phillips of Counsel for the defendant in error.

399	John D. Nash et al. vs. Plffs. in Error. H. H. Williams.	The argument of this cause was commenced by Mr C. S. Hest of counsel for the plaintiffs in error, and continued by Mr A. L. Hamilton and Mr J. H. Buchanan for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday March 19th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John F. Meaney Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

---

229. John D. Rockefeller et al. vs. Plffs. in Error. E. H. Williams. — The argument of this cause was continued by Mr J. C. Buchanan of Counsel for the defendant in error & concluded by Mr C. S. West

of counsel for the plaintiffs in error.

230. Thomas D. Warren vs. Pltf in Error. Flora E. VanBrunt.

231. And Thomas D. Warren. vs. Pltf. in error. Flora E. VanBrunt.

These cases were submitted to the consideration of the Court on the record and printed argument by Mr W. S. Wilkinson of counsel for the plaintiffs in error, and orally argued by Mr J. D. McPherson for the defendants in Error.

---

232 David N. Williams et al. vs. James Bankhead. Appellants.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr A. H. Garland of counsel for the appellants, and by Messrs Clark and Williams for the appellee.

Thursday, March 19th 1874. continued.

233. John Wilson et al vs. Jesse K. Bell et al. Appellants. | This cause was argued by Mr John A. Grow of Counsel for the appellants and by Mr J. J. Durant for the appellees

---

734. The Dubuque & Sioux City Railroad Compy. vs. Fitts. in Error. Alfred H. Richmond et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr James F. Wilson of counsel for the plaintiff in error and by Mr Hall Smith, and Mr J. M. Griffith of counsel for the defendants in error.

---

235. William Stanton & John McKenna vs. Steamboat "Dick Fulton" No. 3. Appellants. | This cause was argued by Mr J. H. Bradley Sr. of counsel for the appellees.

Thursday March 19th 1874. Continued

236	Thomas H. House vs. Appellant Wm F. North assignee &c.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

237	Thomas F. Ryan et al. vs. Pltfs. in Error. The United States ..	This cause was submitted to the consideration of the court on the record & printed arguments by Mr. McDonald, and Mr Fuller of Counsel for the plaintiffs in error, and Mr. Attorney General Williams and Mr Solicitor-General Phillips of counsel for the defendant in error.

161	The United States vs. Plaintiffs George Cook.	(Specially assigned) This cause was argued by Mr Solicitor General Phillips of Counsel for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 20th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made in the Court in behalf by Hon George G. Wright, it is ordered that James Baker Esquire of St Louis State of Missouri be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

500 The Winona & St Peter R.R.Co. Plaintiff in Error. vs. John D. Blake et al. — The motion to advance this cause was submitted to the consideration of the court on printed arguments by Mr W. P. Clough in support of the same, and by Mr B. C. Cook in opposition thereto. Thereupon this court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

1123 The United States Appellants. vs. C. L. Woodruff et al. And Bessie Elyce Gannon Recurrix &c. — 1124 U.S. Appellant. The United States. Ordered by the court that the motion filed by Mr T. J. Durant to substitute public administrator of J. K. Elyce in this cause be, and the same is hereby postponed

Friday, March 20th, 1874. Continued -

until Friday, the 27th instant.

The State of Florida ex rel. U.S. Complainant
8 vs. Complainant
E. C. Anderson Jr. et al.

On motion of Mr S.B. Elkins, in behalf of Mr A. Bisbee jr, of counsel for the complainant, it is ordered by the Court, that the defendants who have not answered, &c. and they are hereby required to file answers to the complainants bill in this cause, within thirty days from this date. -

---

The Baltimore Potomac Railroad Company.
535. vs. Pltfs. in Error.
The Trustees of the Sixth Presbyterian Church.

The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr R. D. Mussey of Counsel for the defendant in Error in support of the same;

Friday March 20th 1874 Continued-

Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

---

238 Mary H. Burt et als vs. Henry T. Ellett- Appellants.

This cause was submitted to the consideration of the Court on the record and printed arguments, by Mr T. Allen Clarke and Mr R. H. Marr of counsel for the appellants, and by Mr R. McEstes of counsel for the appellee.-

---

239 The Citizens Bank of La. Appts. vs. The United States.
240 " Mech's Bank of New Orleans, " " " U.S. & W.R. Fish.
241 " Citizens Bk of Louisiana Appellees " " United States.
242 " Mech's Bk of New Orleans " " " " U.S. & W.R. Fish.
243 T. A. Marchand " " " " United States
244 The United States " " " " T. A. Marchand.

On motion of Mr Assistant Attorney

General Hill, it is ordered that these cases be postponed to be argued with No 283, when reached in the regular call of the docket.

Eugene Roach et al.
245. vs. Appellants.
Edwin H. Summersal.

This cause was argued by Mr S. Phillips of counsel for the appellants, & by Mr M. Blair of counsel for the appellees.

The United States
240. vs. Appellants
Harriet Saint et al
Heirs of J. Johnston
deceased.-

Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by counsel- On consideration

whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, & the same is hereby affirmed.

Per Mr Chief Jus. Waite-

227	The United States- Appellants vs. The Heirs of James Pinneuffy deceased.	Ordered by the Court that this cause be, and the same is hereby passed for the present..

Proclamation being made the Court is adjourned until Monday next at twelve o'cloak.

Monday March 23rd 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

---

225. Bolivar S. Head vs. Pliff. in Error. The Curators of the University of the State of Missouri. — In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. Dissenting (per Mr. Jus. Hunt. Mr. Jus. Bradley.)

---

35. W. P. Garrall, James Hillman & H. P. Little. vs. Pffs. in Error. Thomas Seibert.

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now

here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California. -

per Mr Justice Strong.

---

212. Vernon K. Stevenson vs. Plff. in Error. / Mary McDougall Williams wife of William Von Phul, and William Von Phul. / In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the

said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

Thomas J. Burke	In Error to the
vs.	Supreme
In Error	Court of the
Louis Tregre and	State of Louisiana.
Alphonse Millenberger.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Davis.

195. James Espy, Philip Heidelbach, Louis Heidelbach & Maum Heidelbach, partners as Espy Heidelbach & Co. vs. Plffs. in Error, The First National Bank of Cincinnati

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr Justice Miller.

Israel M. Nunez and Raphael J. Moses as, I. M. Nunez & Co. vs. Pltfs in Error Joseph Daniel.

In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Georgia.

per Mr Justice Swayne.

224. The Merchants Mutual Insurance Company. vs. Piff. in Error. Thos. Baring, R. D. Hodgson J. S. Hodgson, E. C. Baring, Russell Sturgis H. B. Midway, William Moore, Chas. L. Norman, James Price and Thomas C. Baring as Baring Bros. & Co.

In Error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate

per annum that similar judgments be had in the Courts of the State of Louisiana.

per Mr Justice Clifford.

Ex parte In the matter of Jonathan C. Greeley. Original. Petitioner | On consideration of the petition for a writ of Habeas Corpus in this case, it is now here ordered by the Court that said petition be and the same is hereby overruled. per Mr Chf. Jus. Waite.

11

Simon B. Kinkead et al. Plffs. in Error. vs. The United States. | It is ordered by the Court that the judgment of affirmance heretofore entered in this cause, on the 4th day of March be set aside, and that the cause be and the same is hereby set down for rehearing upon printed arguments to be filed,

1911

by the 1st of May next

Mr Chief Justice Waite.

---

235. William Stanton & John M. Kenna vs. The Steamboat "Dick Fulton" & S. George R. Riddle & Thomas J. Coleman. — Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

Ethan Allen
251. vs. Pff in Error.
John Taylor Esq
Edith K Hathaway
& James Saunders
James Saunders &
Lucia McWilliams
widow of Andrew
K Williams.

In Error to the
Supreme Court
of the State
of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Waite.

The Vineyard and St Peters R.R. Co. vs. Pfiffner Error John D. Blakedal

500

On consideration of the motion to advance this cause on the docket and of the argument of counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby overruled. per Mr Chief Justice Waite.

The Balt & Potomac R.R. Co. vs. Pfiffner Error, The Arch Presbyterian Church trustees.

On consideration of the motion to advance this cause on the docket, and of the argument of counsel thereupon had; it is now here ordered by the Court that said motion be, and the same is hereby overruled.

per Mr Chief Jus. Waite.

---

504. James D Foree vs. Piff in Error. William N. McVeigh.	In Error to the Corporation Court of the City of Alexandria State of Virginia.

This cause came on to be heard on the transcript of the record from the Corporation Court of the City of Alexandria State of Virginia and on the motion of Mr. Phillips to dismiss which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

Ch. Mr Chief Justice Waite.

218. George H. Peete vs. Appellant Charles Morgan.	This cause was argued by Mr. P. Phillips of counsel for the appellee. No counsel appearing for the appellant.

S. A. Stockdale Collr Internal Revenue.	On motion of Mr. Solicitor General Phillips, it
249. vs. Pfff. in Error.	is ordered
The Atlantic Insurance Company of New Orleans.	by the Court

that this cause be passed and to be argued with 267 &c.

The Rio Grande R. R. Co.	The argument of this
250. vs. Pfff. in error.	cause was
The Hoosburg and Corning R R Co.	commenced by Mr John A. Reynolds of counsel for the plaintiff in error and continued by Mr D. Rumsey of counsel for the defendant in error.

Monday March 23rd 1874 Continued

John Gill.
2911. vs. In Error.
Eliza Wells, admx
of Henry Wells, decd.

On motion of Mr Henry J. French of counsel for the plaintiff in error, and consent of Messrs Peckerson and Beaman of Counsel for the defendant in error, it is ordered that the name of Asa Gill be substituted for that of John Gill, upon the docket and that the writ of error heretofore issued, that the name of Asa Gill be substituted for that of John Gill.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 24. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John F. Hoeday Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. C. Corwine it is ordered that W. L. D. Baker Esquire of Monroe State of Louisiana be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The Tioga Railroad Co. 231. vs. Pfff. in Error The Blossburg & Corning Railroad Company.	The argument of this cause was commenced by Mr D.

Ramsey of counsel for the defendant in error, & concluded by Mr Jno. H. Reynolds for the plaintiff in error.

The First National Bank of Washington et al. vs. The State of Texas. 113. Appellants	The argument of this cause was commenced by

Mr J. H. Ashton of counsel for the appellants, and continued by Mr R. T. Merrick of counsel for the appellee.

Proclamation having made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 25th 1874

Pursuant to adjournment the Court met to-day at the Capitol.

Present -

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Edward Mac Kinley it is ordered that Lyman H. Butcher Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that James S. Stevens Esquire of Brooklyn State of New York be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Edwin S. Stanton it is ordered that Robert T. Lincoln Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court He was sworn accordingly.

The First National Bank of Washington et al. -
vs. Appellants.
The State of Texas.

The argument of this cause was continued by Mr T. J. Durant of counsel for the appellee and concluded by Mr E. R. Hoar of counsel for the appellants.

252. The United States vs Pltff. in Error. Francis J. Herron. | This cause was argued by Mr. Pltff's Attorney Gen. and Hill of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

---

254. Thomas J. McDuddy vs Appellant John H. Hare Sr. et al. | Ordered by the court that this cause be, and the same is hereby passed for the present.

---

255. The United States vs U.S. Pltff. in Error, Francis H. Hatch Claimant of six lots of ground. | On motion of Mr Asst. Attorney Gen. and Hill of Counsel for the appellants, it is ordered that this cause be passed to be argued with No 253.

William A. H. Loveland
256. vs. Pltff. in Error.
Jasper D. Sears, Jr.

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Chipman and Mr Hosmer of counsel for the plaintiff in error, and by Mr R. T. Merrick of counsel for the defendant in error.

The First National Bank of Troy
257. vs. Appellant.
Mamie W. Cooper et al.

This cause was argued by Mr E. F. Bullard of Counsel for the appellant, and by Mr J. S. Simms of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday March 26. 1874.

Pursuant to adjournment the court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr C. M. Hawley it is ordered that Charles Gilchrist Esquire of Salt Lake City, Utah Territory be admitted to practice as an attorney and counsellor of this court. He was sworn accordingly.

Thursday March 26th 1874 Continued

On motion first made to the Court in this behalf by Mr B. H. Bristow it is ordered that M. Mundy Esquire of Louisville State of Kentucky be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

258. Wm Holladay vs. Pltff in error. Anthony Dudley. | This cause was argued by Mr George H. Williams of counsel for the plaintiff in error & by Mr P. Phillips for the defendant in error.

259. The Metropolitan Washing Machine Company. vs. Appellant. The Providence Tool Co | The argument of this cause was commenced by Mr J. H. Parsons of counsel for the appellants & continued by Mr B. F. Thurston and Mr C. L. Woodbury of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Friday March 27th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A.G. Riddle it is ordered that Charles A. Thomas Esquire of Washington City District of Columbia be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr R. T. Merrick it is ordered that John Deady Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Mr Chief Justice Waite announced that Friday next being Good Friday, the court would not sit, but will hear motions on Thursday.

16th The Orange Alexa. and Tallassas R. R. Company vs. The Southern & Atlantic Telegraph Company. Appellant

On motion of Mr Francis L. Smith it is ordered that this cause be assigned for argument on Tuesday the 14th of April next.

---

223. Christian Barry vs. Appellant. The Pennsylvania Salt Manufacturing Co. | On motion of Mr H. Baldwin Jr. and consent of Mr George Harding leave is hereby granted the Clerk to issue the mandate in this cause.

---

71 The Steamship "Emily B. Souder" &c vs. Appellant John Pritchard and The Steamship "Emily B. Souder" &c. - | The motion to make the proper representatives of Stephen B. Souder deceased parties appellant in these cases was submitted to the consideration of the Court on printed argument by Mr. F. Merrick in support of the same: Whereupon this Court not being now here sufficiently
75. vs. Appellant. Pickenham Beatty et al.

advised of, and concerning what order to render in the premises took time to consider.

Christian S. Eyster
694 vs. Plff. in Error.
Thos. Gus James H. Gaff.

The motion to vacate the order granting a writ of Supersedeas in this cause and to increase the penalty of the bond given in the case, was argued by Mr T. Phillips in support of the same, and by Mr J. A. Wills in opposition thereto. Whereupon the Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Henry H. Moore
1270 vs. Plff in Error.
The State of Mississippi

Mr T. Phillips moved the Court to advance this cause on the docket, and assign a day for argument. Whereupon

this Court not being now here sufficiently advised of Concerning what order to render in the premises took time to consider.

---

423. The United States vs. Appellants. C.V. Woodruff et al. and
424. D. E. Jansen Exct &c vs Appellant The United States.

Ordered by the Court that the motion of Mr P. J. Durant to substitute public administrator of J. K. Elgee deceased in this cause, be, & the same is hereby postponed until Thursday the second of April.

---

504. J. C. Underwood et al vs Plffs in Error. William N. McVeigh.

On motion of Mr P. Phillips leave is hereby granted the Clerk to issue the mandate in this cause.

James Murray Claimant of the Barque "Mary Merrill" vs. Appellant. The United States.	On motion of Mr Solicitor General

Phillips, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States vs. Appellants. The Heirs of James Fenerardy.	This cause was submitted to the consideration of

the Court on the record and printed arguments by Mr Assistant Attorney General Hill of counsel for the appellants and by Mr R. H. Bradford for the appellees.

Herman J. Pahlman et al. vs. Plffs. in Error. Herman Raster.	On consideration of the stipulation of

Counsel for the respective parties, and on motion of Mr Solicitor General Phillips, it is now here ordered by the Court that the record in this cause be amended by striking out the common counts, in the plaintiffs narrative; and that the cause be heard upon special counts and the demurrer.-

---

259. The Metropolitan Washing Machine Company- Appellant vs. The Providence Tool Co.

The argument of this cause was continued by Mr. C. L. Woodbury, of counsel for the appellee, and concluded by Mr. T. A. Jenckes of counsel for the appellant.

---

260. The United States Appellants vs. William & Nicholas Birchard,

This cause was argued by Mr. Solicitor General Phillips of counsel for the ap-

pellants. No counsel appearing for the appellees.

---

261. Augustus C. Watson vs. Plff. in Error
Walter E. Bondurant

This cause was submitted to the consideration of the court on the record and printed arguments by Mr. S. H. Race and Mr. E. T. Merrick of counsel for the plaintiff in error and by Mr. C. L. Walker for the defendant in error.

---

262. John P. Hunnaston vs. Plff. in Error
The American Telegraph Company.

The argument of this cause was commenced by Mr. C. Brainerd of counsel for the plaintiff in error, and continued by Mr. J. P. Lowrey for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 30th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ephas Brainard, it is ordered that Charles Harris Phelps, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. Montgomery Blair, it is ordered that John C. Orrick, Esquire, of St. Louis, and A. H. Buckner, Esquire, of Mexico, State of Missouri, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. Philip Phillips, it is ordered that J. D. Rouse, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Mayor and City Council of Nashville.
vs. Plaintiffs in Error
166. William Ray

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Justice Bradley.

Dipenting:
Mr. Justice Clifford
" " Swayne
" " Strong.

Eugene Roach, by Taylor Roach by his guardian ad litem Archy McGehee.

245. vs. Appellants

Edwin H. Summers, John S. Bramins, Abraham O. Bramins, & H. D. Newcombe, partners as Summers & Bramins.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Strong

The Dubuque & Sioux City Railroad Company & The Illinois Central R.R.Co.
234. vs. Plaintiffs in Error
Alfred W. Richmond and John Jackson.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said

Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Iowa.

Per Mr. Justice Field.

227. The United States, Plffs. in Error, vs. George Jonas | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Davis

237. Thomas J. Ryan and Charles J. Knighton vs. Plffs. in Error The United States

In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

Per Mr. Justice Miller.

239. John D. Nash, John Van Hagen, & Oscar Nash vs. Plffs. in Error Rebecca A. Williams, Executrix of H. H. Williams deceased.

In Error to the Circuit Court of the United States for the Western District of Texas.

Monday, March 30th 1874, Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

Per Mr. Justice Swayne

74. The Steamship "Emily B. Souder" E. A. Souder, Claimant. Appellant vs. John Pritchard, Libellant & Appellee. On reading a notice of motion heretofore filed with the Clerk of this Court, in this cause, and the affidavit and other proofs annexed thereto- And also on reading the proof of service of said notice of motion and the affidavits and other proofs annexed

thereto on Charles Donohue, Esquire, counsel for the appellant, and on said Benjamin B. Craycroft, surviving trustee in Bankruptcy of E. A. Souder & Co., and of Edmund A. Souder, and Stephen T. Souder, also on file with said Clerk, and after hearing Mr. Merrick of counsel for said libellant and appellee;

It is ordered by this court that the said libellant and appellee have leave to file a suggestion in this cause that the claimant & appellant, Edmund A. Souder, died pending the appeal herein to this court, and on or about the 11th September, 1873, and that before his death proceedings in bankruptcy having been instituted in the District Court of the United States for the Eastern District of Pennsylvania, against E. A. Souder & Co., (on whose claim the steamship "Emily B. Souder" her tackle &c, was discharged from the custody of the Marshal on giving a bond in the United States District Court for the Southern District of New York under the act of Congress of March 3d 1847) and against said

Edmund A. Souder and Stephen G. Souder who compose said firm; on or about the 3d day of August 1870 Benjamin B. Craycroft and Charles Knecht of the city of Philadelphia were appointed Trustees of the estate of said E. A. Souder & Co., and of said Edmund A. Souder and Stephen G. Souder, under section 43 of the act of Congress entitled "An Act to establish a uniform system of Bankruptcy throughout the United States", approved March 2d 1867; and that thereupon said Edmund A. Souder and Stephen G. Souder did under the direction of said District Court for the Eastern District of Pennsylvania and under oath, convey, transfer, and deliver all their and each of their estate and effects to said trustees; and that said Charles Knecht died on or about the 23d day of April, 1871, leaving him surviving the said Benjamin B. Craycroft the other Trustee.

And it is further ordered, on

filing such suggestion that said Benjamin B. Craycroft, as surviving trustee under the 43" section of said Act of Congress, approved March 2d. 1867, of all the estates of said E. A. Souder & Co., and of said Edmund A. Souder and Stephen T. Souder, be substituted as claimant and appellant in place of said Edmund A. Souder, deceased, as his proper representative as claimant and appellant in the above entitled suit and that such suggestion be filed and order for substitution entered as of the 5th. of November, 1873, nunc pro tunc. And it is further ordered that the filing of this order do stand and serves for the filing and entry of record of such suggestions as of the 5th. November, 1873, and that Benjamin B. Craycroft as surviving trustee under the 43d. section of said Act of Congress approved March 2d. 1867, of all the estate of said E. A. Souder & Co., and of said Edmund A. Souder and Stephen T. Souder be, and he is

hereby, substituted as claimant and appellant in place of said Edmund A. Souder, deceased, as his proper legal representative as claimant and appellant in the above entitled suit as of the 5th November, 1873, nunc pro tunc.

Per Mr. Justice Clifford.

The Steamship "Emily B. Souder" &c.
E. A. & S. T. Souder, Claimants
vs. Appellants.
Tadenham Beatty, et al, libellants & appellees.

75.

On reading the notice of motion heretofore filed with the Clerk of this Court in this cause and the affidavits and other proofs annexed thereto, and also on reading the proof of service of said notice of motion and the affidavits and other proofs annexed thereto, on Charles Donohue, Esquire, counsel for appellants and on Benjamin B. Craycroft surviving trustee in Bankruptcy of E. A. Souder & Co. and of Edmund A. Souder and Stephen T. Souder

also on file with said clerk and after hearing Mr. Merrick of counsel for said libellants and appellees;

It is ordered by this Court that the said libellants and appellees have leave to file a suggestion in this cause that the Claimant and appellant Edmund A. Souder died pending the appeal herein to this Court and on or about the 11th September 1873, and that before his death proceedings in bankruptcy having been instituted in the District Court of the United States for the Eastern District of Pennsylvania against E. A. Souder & Co. (on whose claim this Steamship "Emily B. Souder" by Tackle &c, was discharged from the custody of the Marshal on giving bond in the United States District Court for the Eastern District of New York under the act of Congress of March 3rd 1847) and against said Edmund A. Souder and Stephen P. Souder who composed said firm; on or about the 3rd day of August, 1870, Ben-

jamin B. Brayerofft & Charles Knecht of the City of Philadelphia were appointed trustees of the estate of said E. A. Souder & Co., and of said Edmund A. Souder & Stephen G. Souder, under section 43 of the act of Congress entitled "An Act to establish a uniform system of Bankruptcy throughout the United States" approved March 2d 1867. and that thereupon said Edmund A. Souder and Stephen G. Souder did under the direction of said District Court for the Eastern District of Pennsylvania, and under oath, convey, transfer, and deliver all their, and each of their estate and effects to said trustees, and that said Charles Knecht died on or about the 23d April, 1871, leaving him surviving the said Benjamin B. Brayerofft the other trustee;

And it is further ordered that on filing such suggestion said Benjamin B. Brayerofft, as surviving trustee under the 43d section of the said Act of Congress approved March

2, 1867, of all the estate of said E. A. Souder & Co., and of said Edmund A. Souder and Stephen F. Souder, be substituted as claimant and appellant in place of said Edmund A. Souder, deceased, as his proper representative as claimant and appellant in the above entitled suit; and that such suggestion be filed and order for substitution be entered as of the 5th November, 1873, nunc pro tunc.

And it is further ordered that the filing of this order do stand and serve for the filing and entry of record of such suggestion as of the 5th November 1873, and that Benjamin B. Craycroft as surviving trustee under the 15th section of said act of Congress, approved March 3d, 1867, of all the estate of said E. A. Souder & Co. and of said Edmund A. Souder and Stephen F. Souder be and he is hereby substituted as claimant and appellant in place of said Edmund A. Souder, deceased, as his proper legal representative as

claimant and appellant, in the above entitled suit as of the 5th November 1873. nunc pro tunc.

per Mr. Justice Clifford.

256. William H. H. Loveland vs. Plff. in Error / Jasper P. Sears Jr. | In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel— On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

260. The United States vs. Appellants / Wm. & Nicholas Birchard partners as N. Birchard & Company— | Appeal from the Supreme Court of the Territory of Arizona.

Monday, March 30th 1874. Continued -

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite

Henry H. Moore
H70. vs. Pltff in Error
The State of Mississippi

On consideration of the motion to advance this cause and assign a day for argument it is now here ordered by the Court that said motion be, and the same is hereby, overruled.

per Mr. Chief Justice Waite

Christian S. Eystet
C71 vs Pltff in Error
Thomas & Jas. N. Taff.

On consideration of the motion to vacate the order granting a writ of supersedeas in this cause, and to increase the penalty of the bond given

in the case, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that the plaintiff in error within thirty days from the entry hereof, file in the office of the Clerk of this Court an additional bond, with security to the satisfaction of the Clerk, in the penal sum of twenty-five hundred dollars, conditioned that he shall prosecute his writ to effect and answer all costs and damages for the delay, if he fail to make his plea good, and in default of his so doing that the supersedeas allowed herein on the 23d. day of January last be vacated.

Per Mr. Chief Justice Waite

213. The Steamship "Pennsylvania" &c. vs. Jacob V. Troop et al. Appellants

On motion of Mr. C. Brainard in behalf of counsel for the respective parties, and on stipulation filed, it is ordered that

Monday, March 28th 1874, continued-

the Clerk have leave to issue the mandate in this cause.

---

162. John P. Humaston vs. Plff. in Error The American Telegraph Company.

The argument of this cause was concluded by Mr. Truman Smith of counsel for the plaintiff in Error.

---

163. The Atlantic Tennessee & Ohio R.R.Co. et al. vs. Appellants The Carolina National Bank of Columbia S.C. et al.

The argument of this cause was commenced by Mr. N. W. Boyce of counsel for the appellants and continued by Mr. N. Vi. Guion of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday March 31st 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Ward Hunt
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. L. P. Poland, it is ordered that Hon H. B. Sayler, of Huntington State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Moore, it is ordered that Benjamin J. Darneille, Esqu

Tuesday, March 21st 1871. Continued-

of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

263. The Atlantic Tennessee & Ohio R.R. Co. et al. vs. The Columbia National Bank of Columbia &c. et al. Appellants

The argument of this cause was continued by Mr. A. H. Fuion of counsel for the appellees and concluded by Mr. W. W. Boyce of counsel for the appellants.

---

264. Jas. P. Scriven by his next friend Jas. McElwaine vs. Percival P. Aldershaw. Appellant

Ordered by the Court that this cause be, and the same is hereby, passed for the present.

Tuesday, March 31st 1874, Continued.

265. The Washington, Georgetown & Alexandria Steam Packet Co. vs. Tiff in Error
Frederick E. Sickles et al.

The argument of this cause was commenced by Mr. Walter D. Davidge of counsel for the plaintiff in error, continued by Mr. J. N. Bradley and Mr. E. A. Dickerson for the defendants in error, and by Mr. T. J. D. Fuller for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 1st 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. J. Durant it is ordered that Harriet Junstall, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Order.

There having been a Chief Justice of the

Court appointed since the commencement of this term, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record; viz;

For the first Circuit Nathan Clifford Associate justice
For the second Circuit Ward Hunt, Associate justice
For the third Circuit William Strong, Associate justice
For the fourth Circuit Morrison R. Waite, Chief Justice
For the fifth Circuit Joseph P. Bradley, Associate justice
For the sixth Circuit Noah H. Swayne, Associate justice
For the seventh Circuit David Davis, Associate justice
For the eighth Circuit Samuel F. Miller, Associate Justice
For the ninth Circuit, Stephen J. Field, Associate justice

---

265. The Washington, Georgetown & Alexandria Steam Packet Co. vs. Plff. in Error
Frederick E. Sickles et al.

The argument of this cause was concluded by Mr. D. J. D. Fuller, of counsel for the plaintiff in Error.

Wednesday, April 1st 1874, Continued-

266.	Catharine A. Rodd, Admx. &c. vs. Henry G. Hearth et al.	Appellant / Appellees	This cause was argued by Mr. John A. Grow of counsel for the appellees, and submitted on printed argument by Mr. Thomas J. Semmes, for the appellant.

267.	S. A. Stockdale, Coll'r &c.	Pff in Error	Atlantic Ins. Co. of N.O.
268.	Same	" " "	Citizens Bank of La.
269.	Same	" " "	N.O. Canal & Banking Co.
270.	Same	" " "	Orleans R.R. Co.
271.	Same	" " "	Crescent City R.R. Co.
272.	Same	" " "	Vallette Dry Dock Co.
273.	Same	" " "	Home Mutl. Ins. Co.
274.	Same	" " "	N.O. Mutl. Ins. Co.
275.	Same	" " "	Union Ins. Co. of N.O.
276.	Same	" " "	Merchants' Mutl. Ins. Co.
277.	Same	" " "	Germania Ins. Co. of N.O.
278.	Same	" " "	Sun Mutl. Ins. Co. of N.O.
279.	Same	" " "	Union Natl. Bank of La.
279.	Same	" " "	N.E. Shropshire et al.

Ordered by the Court that these cases be, and the same are hereby, passed for the present.

Wednesday, April 1st 1874. Continued.

280.	The Pacific R.R. Co. vs. Plff. in Error Constantine Maguire	The argument of this cause was commenced by Mr. James Baker of

counsel for the plaintiff in error, and continued by Mr. F. A. Dick & Mr. M. Blair for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 2d. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford, Noah H. Swayne, Samuel F. Miller, David Davis, Stephen J. Field, Joseph P. Bradley, Ward Hunt, Associate Justices
John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that S. Yates Levy, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, April 2d 1874. Continued.

The United States 423 vs. Appellants C. C. Woodruff et al and B. C. Jansen, Executrix. 424. vs. Appellants The United States	Ordered by the Court that the motion of Mr. S. J. Durant to substitute public administrator of J. M. Edgee deceased in this cause be and the same is hereby post-poned for the present.

The Grover & Baker Sewing Machine Co. 290. vs. Iff. in Error The Florence Sewing Machine Company	In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and on motion of Mr. E. R. Hoar, and stipulation of counsel on file stating that the matters in controversy in this cause had been agreed and settled between the parties

it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

The Dubuque & Sioux City Railroad Co. Plff. in Error.
vs.
Alfred H. Richmond et al.

On motion of Mr. J. D. McPherson, in behalf of Mr. J. M. Griffith, it is ordered that the Clerk have leave to issue the Mandate in this cause.

Christian S. Eyster Plff. in Error.
vs.
Thomas & Jas. H. Saffold.

On motion of Mr. J. A. Wills it is ordered by the Court that the order entered in this cause on the 30th of March ultimo, be and the same is hereby, so far modified that the bond directed to be filed, shall be approved by the Judge of the Supreme Court of the Territory of Colorado, who signed the citation, instead of the Clerk of this Court, as directed in said order.

Thursday, April 2d 1874. Continued.

280. The Pacific Railroad Co. vs. Aff. in Error Constantine Maguire

The argument of this cause was continued by Mr. M. Blair of counsel for the defendant in error & concluded by Mr. R. M. Evarts of counsel for the plaintiff in error.

Mr. Justice Bradley did not sit in this case.

281. The North Missouri Rail-Road Company vs. Aff. in Error Constantine Maguire

This cause was argued by Mr. John C. Orrick of counsel for the plaintiff in error and by Mr. M. Blair for the defendant in error.

Mr. Justice Bradley did not sit in this case.

Proclamation being made the court is adjourned until Monday next at twelve o'clock.

Monday, April 6th 1874

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Eugene Lies, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Britton A. Hill, it is ordered that Edward J. O'Brien, Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. Blair, it is ordered that Thomas H. Nelson, Esquire, of Terre Haute, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

226. The City of Memphis v. Talmadge C. Brown, Surviving partner of the late firm of T. C. Brown & Company.

Appeal from the Circuit Court of the United States for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Western District of Tennessee, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Hunt.

David A. Williams, Hector McNeill and Seth W. Bolton
202. vs. Appellants
James Bankhead.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof,

it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein according to law.

per Mr Justice Bradley

221. The Mayor & City Council of Nashville - vs. Plffs. in Error N. Lindsey - of Tennessee.

In Error to the Circuit Court of the United States for the Middle District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court in this cause be, & the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Justice Bradley

258	Ben Holladay v. Kittie Ertd. Anthony Daily	In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Field.

Alexander Roberson,
John Freer Blacklock,
William Mc Burney,
& William J. Ball.
209. vs. Appellants.
Caroline Carson.

Appeal from the
Circuit Court of
the United States
for the District
of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Swayne

Cary W. Bull, William Hash & Thomas D. Lyon, partners as Bull, Hash & Lyon.
235 vs. Appellants.
Henry T. Ellett

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Louisiana.

Per Mr. Justice Swayne.

John Wilson, William Fagan, & Benjamin Miller, as Wilson, Fagan & Company & John Chaffee & Charles Chaffee as John Chaffee & Brother, Intervenors -

233. vs. Appellants

Jesse K. Bell & A. L. Kennett as Kennett & Bell.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Clifford

198.	The Mutual Life Insurance Co. of New York vs. Peter Hamilton, as sole acting Executor of Jude N. Goodman, deceased.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

776.	William E. Gale et al. heirs of Samuel Bond dec'd. vs. The New York Life Insurance Company. Appellants	Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel - On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

266	Catharine A. Rodd et al. vs. Henry G. Heartt et al. Appellants	Because two of the Judges of this Court were absent at the

hearing of the case, and because the question of the right to a maritime lien for supplies furnished to a ship in her home port is involved in its d

cases; It is therefore ordered that the cause be re-argued on the second Monday of the next term of this Court, on that question, and that Counsel in other cases where the same question is raised, be at liberty to take part in the argument.

The Chief Justice announced to the Bar that the Court will not hear arguments after Friday the 24th instant, and that it will adjourn on the fourth day of May, next.

The United States
vs. Appellants
Gazaway B. Lamar

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Attorney General Williams, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

611. The United States vs. Appellants Gazaway B. Lamar

On motion of Mr. B. F. Butler, it is ordered that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause.

573. The Western North Carolina Railroad Company (Eastern Division) Todd R. Caldwell et al. vs. Appellants Henry Clews, Hiram Sibley, Richard Norris and Henry Lattimer, Partners as Richard Norris & Son, Robert A. Lancaster et al.

Appeal from the Circuit Court of the United States for the Western District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina, and on the stipulation of counsel on file, and motion of Mr. S. F. Phillips, it is now here ordered, adjudged, and decreed that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Western North Carolina Railroad Co. (Eastern Division) & R. Caldwell et al. vs. Henry Clews et al. Appellants

5773

On motion of Mr. S. F. Phillips, it is ordered that leave be, & the same is hereby, granted the Clerk to issue the mandate in this cause.

Eugene Roach et al vs. Edwin H. Summers et al. Appellants

2145

On motion of Mr. M. Blair, leave is hereby granted the Clerk to issue the mandate in this cause.

George Maclay vs. Alton R. Easton Plff. in Error

182

On motion of Mr. J. F. Darby, it is ordered by the Court that one additional hour be allowed counsel on each side in the argument of this cause.

George Maclay vs. Alton R. Easton Plff. in Error

182

The argument of this cause was commenced by Mr. J. F. Darby, of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 7th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Kesler Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that Samuel K. Walker, Esquire, of New Orleans, State of Louisiana, be admitted to practise as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. E. J. Phelps, it is ordered that J. K. Howard, Esquire, of Middlebury, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Florida
S. of F. vs. Complainant
E. C. Anderson, jr. & D. P. Holland et al.

On motion of Mr. Davis, in behalf of Mr. Bisbee, leave granted to file motion of complainant to dismiss this case as to defendant D. P. Holland.

George Macklay
282 vs. Plff. in Error.
Allen K. Easton

The argument of this cause was continued by Mr. Charles Gibson of counsel for the defendant in error, and concluded by Mr. B. H. Hill of counsel for the plaintiff in error.

Tuesday April 7th 1874, Continued.

266.	S. A. Stockdale, Coll'r &c. Pff. in Error	vs.	Atlantic Ins. Co. & al.
267.	Same	"	Citizens Bank of La.
268.	Same	"	N. O. Canal & Banking Co.
269.	Same	"	Orleans R.R. Co.
270.	Same	"	Crescent City R.R. Co.
271.	Same	"	Vallette Dry Dock Co.
272.	Same	"	Home Mutl. Ins. Co.
273	Same	"	N. O. Mutl. Ins. Co.
274.	Same	"	Union Ins. Co. of N. O.
275.	Same	"	Mercht's. Mutl. Ins. Co.
276.	Same	"	Germania Ins. Co. of N. O.
277.	Same	"	Sun Mutl. Ins. Co. of N. O.
278.	Same	"	Union Natl. Bank of La.
279.	Same	"	N. E. Shropshire et al.

The argument of these cases was commenced by Mr. Solicitor General Phillips of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Wednesday, April 8th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. E. R. Hoar it is ordered that John C. Dodge, Esquire, of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

---

709. The United States vs. Appellants William Battersby & Jacob Danforth, Exrs. of the Estate of Thomas S. Metcalf | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Attorney General Williams, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

709. The United States vs. Appellants William Battersby et al. | On motion of Mr. C. F. Peck, leave is hereby granted the Clerk to issue the mandate in this cause.

164	S. H. Hackdale Collr &c.	Pff in Error.	vs.	Atlantic Ins. Co. of N.O.
167	Same	"	"	"	City vs Bank of La.
168	Same	"	"	"	N. O. Canal & Banking Co.
169	Same	"	"	"	Orleans R.R. Co.
170	Same	"	"	"	Crescent City R.R. Co.
171	Same	"	"	"	Vallette Dry Dock Co.
172	Same	"	"	"	Home Mutl. Ins. Co.
173	Same	"	"	"	N.O. Mutl. Ins. Co.
174	Same	"	"	"	Union Ins. Co. of N.O.
175	Same	"	"	"	Merchants Mutl. Ins. Co.
176	Same	"	"	"	Germania Ins. Co. of N.O.
177	Same	"	"	"	Sun Mutl. Ins. Co. of N.O.
178	Same	"	"	"	Union Natl. Bank of La.
177	Same	"	"	"	W. E. Shropshire Jr.

The argument of these cases was continued by Mr. Solicitor General Phillips of counsel for the plaintiff in error, by Mr. J. D. Rouse of counsel for the defendants in error, and concluded by Mr. Attorney General Williams for the plaintiffs in error.

271. Sidney A. Stoddale Collector of Internal Revenue. vs. Plff. in Error The Vallette Dry Dock Co. | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana. On consideration whereof, it is now hereordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Chief Justice Waite

Wednesday, April 8th 1874, continued.

201. Charles M. Conrad vs. Plff. in Error The United States

202. Duncan F. Kennet vs. Plff. in Error The United States

283. and The United States vs. Plff. in Error C. M. Conrad

The argument of these cases was commenced by Mr. Charles M. Conrad, the plaintiff in error in No. 201, the defendant in error in No. 283, and of counsel for the plaintiff in error in No. 202.

---

255. The United States vs. Plff. in Error F. H. Hatch et al.

This cause was submitted to the consideration of the Court on the record & printed argument by Mr. Assistant Attorney General Hill of Counsel for the plff. in error - No counsel appearing for the defendants in error. (In connection with the above cases No. 201 &c.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 9th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

244. The United States v. Plffs. in Error
Thomas Allen Clarke Executor &c. et al.

On motion of Thomas Allen Clarke, Esquire, of counsel for Viscomte Henrie de St. Romain and Baron Louis de Pfyffer Hendig, and on suggesting to the Court that since the record in this cause has been filed in this Court, the former has intermarried with Marie Rosine

Slidell, and the latter with Marie Marguerite Caroline Slidell, two of the defendants in error in this cause! And Mr. C.H. Hill, Assistant Attorney General of the United States consenting thereto: It is ordered that said Viscomte Henri de St. Romain, and Baron Louis de Pfyffer Neudigg, be admitted as parties defendants in error to authorize and assist their said wives.

201. Charles M. Conrad vs. Plff. in Error The United States

202. Duncan F. Kenner vs. Plff. in Error The United States

and

203. The United States vs. Plff. in Error Chas. M. Conrad.

The argument of these cases was continued by Mr. C. M. Conrad, the plaintiff in Error in No. 201, the defendant in Error in No. 203, and of counsel for the plaintiff in Error in No. 202, by Mr. T. J. Durant & Mr. Assistant Attorney General Hill of counsel for the United States, and concluded by Mr. W. D. Davidge of counsel for the plaintiff in error in No. 202.

Thursday, April 9th 1874, Continued.

239. The Citizens Bank of La. Appts. vs. The United States
240. " Merchants " " N.O. " " " U.S. & N.R. Fish
241. " Citizens " " La. Offs. in Error " United States
242. " Merchants " " N.O. " " " U.S. v N.R. Fish
243. F.A. Marcuard " " " " United States
244. The United States " " " " F.A. Marcuard &c.

The argument of these cases was commenced by Mr. Thomas Allen Clarke, of counsel for the appellants in Nos. 239 and 240, for the plaintiffs in error, in Nos. 241, 242, and 243, and for the defendant in error in No. 244

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 10th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Montgomery Blair, it is ordered that John H. Price, Esquire, of Darlington Harford County, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Hon. Jeremiah S. Black, it is ordered that Charles N. Kent, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. John Forsyth, it is ordered that Jerome Carty, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he has been sworn accordingly.

---

27. S. A. Stockdale, Col'k. vs. Kff. in Error
The Vallette Dry Dock Co.

On motion of Mr J. D. Rouse leave is hereby granted the Clerk to issue the mandate in this case.

---

729. William N. Black vs. Appellant J. Frank Woodrow & Lake Richardson. | Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the motion of Mr. J. H. Price, of counsel for the appellees and consent of counsel for the appellant on file, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

729. William N. Black vs. Appellant J. Frank Woodrow et al. | On motion of Mr. J. H. Price, leave is hereby granted the Clerk to issue the mandate in this cause.

332. Theodore P. Howell et al. vs. Appellants Ichabod N. Dawson. | Ordered by the Court that this cause be, and the same is hereby continued to the next term. (Per stipulation of counsel on file.)

---

730. The Piedmont & Arlington Insurance Company. vs. Plff. in Error Ashley M. Ewing, Adm't of John F. Howes, deceased. | Mr. M. Blair of counsel for the plff. in error, filed motion and moved the Court for a writ of supersedeas in this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

8. Ofl. The State of Florida vs. Complainant E. C. Anderson Jr. D. P. Holland et al. | Ordered by the Court that the motion to dismiss this cause as to defendant D. P. Holland, be, and the same is hereby postponed until Friday

next the 17th inst.

---

728. Silas Woodson et al. vs. Plffs. in Error / Uriel A. Murdock et al. | Mr. Britton A. Hill, of counsel for the plaintiffs in error moved the Court to advance this cause on the docket, and assign a day for argument. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

11 Original. Ex-parte Jas. S. Robinson Petitioner. | On motion of Mr. Story, leave is hereby granted him until Thursday the 16th instant, to file his answer to the Rule heretofore issued to him in this cause.

Friday, April 10th 1874, continued.

239. The Citizens Bank of La. Appts. vs. The United States
240. " Merchants " " N.O. " " " U.S. & W.K. Fisk
241. " Citizens " " La. Plff in Error " " United States
242. " Merchants " " N.O. " " " U.S. & W.K. Fisk
243. F.A. Marcuard " " " " " United States
244. " United States " " " " F.A. Clarke, Ex & c.

The argument of these cases was continued by Mr. P. Allen Clarke of counsel for the appellants in Nos. 239 & 240, for the plaintiffs in error in Nos. 241, 242 & 243, and the defendants in error in No. 244, and concluded by Mr. Assistant Attorney General Hill in behalf of the United States.

---

284. Oscar A. Burton vs. Plff. in Error Wm. S. Driggs, Adm'r &c. | This cause was argued by Mr. L. P. Poland of counsel for the plaintiff in error, and by Mr. E. J. Phelps for the defendant in error.

---

254. Thomas J. McQuiddy vs. Appellant J. H. Ware Jr. et al. | This cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. W. H. Fletcher of counsel for the appellant and by Mr. Geo. P. Strong for the appellee.

319.	Charles F. Pollard vs. Plff. in Error J. F. Bailey, Afiguet &.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Elmore in support of the same, and by Mr. Merrick & Mr. Goldthwaite in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.